

A. Purpose

To provide guidance on the academic support, intervention, and promotion of students.

B. Background

Frederick County Public Schools (FCPS) is committed to ensuring that every student is prepared to thrive in college, careers, and the community. This commitment entails providing each student with rigorous learning experiences and personalized support through each step of their journey towards college and career readiness. Personalized support is offered during initial instruction in core classes and/or through additional learning opportunities. For students demonstrating early readiness, FCPS offers acceleration options. In some cases, students may benefit from a combination of both support and acceleration, tailored to their unique needs. This may include adjusted timelines for advancing through grade levels or specific courses.

C. Definitions

1. “Essential Curriculum Standards” is defined to mean specific statements that describe the learning outcomes for each course or grade level in specific content areas. Essential curriculum standards are aligned to the Maryland College and Career Ready Standards or national content standards.
2. “Grade” is defined to mean a letter, number, or symbol that indicates student performance of the essential curriculum being studied.
3. “Individualized Education Plan” (IEP) is defined to mean a written plan for a student with a disability that is developed, reviewed, and revised in accordance with the Individuals with Disabilities Education Act (IDEA).
4. “Individualized Education Plan Team” (IEP Team) is defined to mean a group of individuals to include parents responsible for identifying and evaluating students with disabilities. The IEP team develops, reviews, and/or revises an IEP for a student with a disability and determines placement in the least restrictive environment.
5. “Individual Learning Plan” (ILP) is defined to mean a personalized plan to help students improve their reading skills. It includes assessments, goals, instruction, and monitoring.
6. “Multi-Tiered System of Supports” (MTSS) is defined to mean a proactive and preventive framework that integrates data, instruction, and intervention to maximize student achievement and support their social, emotional, and behavior needs. MTSS includes three (3) tiers: “Tier I”; “Tier II”; and “Tier III”.

- a. Tier I refers to high-quality, universal instruction and support aligned to grade-level standards. It's the foundation of a MTSS and aims to meet the needs of the majority of learners through evidence-informed strategies and curriculum.
 - b. Tier II refers to academic and behavioral assistance in addition to high quality core instruction for students who need additional support. It addresses specific skill deficits identified by diagnostic assessments and provides additional support to help students catch up to grade-level expectations. Frequent progress monitoring occurs with the goal of supplemental intervention being brief, but focused.
 - c. Tier III refers to support that is intensive intervention that is individualized based on severe and persistent learning or social/emotional needs. It involves highly targeted, evidence-based strategies delivered with increased frequency and duration with the goal of helping students catch up to grade-level expectations.
- 7. "Non-promotion" is defined to mean the act of continuing a student's enrollment in a current grade level based upon unsuccessful completion of coursework.
 - 8. "Parent" is defined to mean a biological or adoptive parent, a court-appointed custodian or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).
 - 9. "Promotion" is defined to mean the typical progression of a student from one grade to the next, based upon successful completion of coursework.
 - 10. "Section 504 Plan" is defined to mean a written document developed for an eligible student in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) that allows the student to receive a free and appropriate education in the least restrictive environment.
 - 11. "Screening Assessment" is defined to mean a brief, valid, and reliable measurement procedure that is used to identify or predict whether a student may be:
 - a. Unable to meet performance standards; or
 - b. In need of enrichment or acceleration.
 - 12. "Supplemental Reading Instruction" is defined to mean evidence-based, sequential, systematic, explicit, and cumulative instruction or intervention to mastery of foundational reading skills including phonological or phonemic awareness and processing, phonics, and vocabulary to support development of decoding, spelling, fluency, and reading comprehension skills to meet grade level curriculum.

D. Procedures

- 1. **Promotion**
 - a. **Pre-Kindergarten (Pre-K).** Students enrolled in FCPS Pre-K programs will automatically advance to kindergarten; non-promotion is not an available option at the Pre-K level.

- b. **Grades K-8.** Students in grades K–8 are promoted to the next grade level based on their progress toward mastering grade-level standards and achieving essential learning goals. It is expected that all students meet or exceed these standards by the end of each academic year. [FCPS Regulation 416-01, *Academic Advancement \(formerly 400-89\)*](#), outlines the process related to promotion through academic advancement in grades K-8.
- c. **High School (Grades 9–12).** Promotion in high school is determined by progress toward earning the required credits for graduation. Students must accumulate a minimum of 25 credits to earn a Maryland high school diploma from FCPS, which includes:
 - i. Successful completion of state-required subject area courses.
 - ii. Completion of a completer program—a career-focused sequence of courses.
 - iii. Four additional credits required by FCPS.
 - iv. Completion of the Student Service Learning requirement.
 - v. Cumulative Credit Requirements for Promotion:
 - 1. Promotion to Grade 10: 6 credits.
 - 2. Promotion to Grade 11: 12 credits.
 - 3. Promotion to Grade 12: 18 credits.

2. **Non-Promotion (Grades K–12)**

- a. **Pre-K.** Students enrolled in FCPS Pre-K programs automatically advance to kindergarten. Non-promotion is not an option at the Pre-K level.
- b. **Grades K-8.**
 - i. Non-promotion in Grades K–8 is not typically expected and will only be considered after a comprehensive multi-tiered system of support (MTSS) has been fully implemented and thoroughly documented. Student progress must be evaluated using a body of evidence gathered over time, not a single assessment or isolated data point (including social-emotional competency, academic, behavioral, and/or attendance data).
 - ii. In accordance with the Maryland State Department of Education’s Pre-K–3 Comprehensive Literacy Policy, reading proficiency is a key benchmark for promotion readiness. Therefore, non-promotion may be considered under the following conditions:
 - 1. The student is not making adequate progress toward grade-level standards in English Language Arts and/or Mathematics; and
 - 2. Documented interventions, including academic support and regular progress monitoring, have not led to sufficient improvement.
 - 3. An Individualized Learning Plan (ILP) is developed to guide support for the following year. (For students with an Individualized Education Program (IEP), the IEP fulfills the role of the ILP and continues to guide instruction, services, and progress monitoring).
 - iii. **Grades K–8 Non-Promotion Process.** To ensure a thoughtful, data-informed, and collaborative approach, school staff are expected to follow the steps outlined below for students who have not been previously non-promoted:
 - 1. **Identify and communicate concerns.**
 - a. Staff identify students not meeting grade-level expectations.

- b. Parents are notified to encourage shared problem-solving and support.
- 2. **Implement and document MTSS interventions.**
 - a. Tier II or III interventions are provided based on student needs.
 - b. Intervention strategies and student responses are clearly documented.
- 3. **Monitor progress through school-based teaming.**
 - a. The School Team (Core Team/Student Support Team) reviews data and evaluates intervention effectiveness.
 - b. Supports are adjusted as needed based on progress monitoring.
- 4. **Maintain ongoing communication with parents.**
 - a. Staff provide regular updates to parents/guardians.
 - b. Parents remain informed and engaged throughout the intervention process.
- 5. **Hold a non-promotion conference with parents.** A formal meeting is held in April/May to:
 - a. Review academic performance and intervention data;
 - b. Discuss continued supports; and
 - c. Consider non-promotion if adequate progress has not been made.
- 6. **Develop an Individualized Learning Plan (ILP).**
 - a. If a student is being considered for or has been identified for non-promotion, an Individual Learning Plan will be developed by school staff in cooperation with the parents to identify the essential objectives that need to be mastered and the response by the school to deploy supports, including appropriate interventions to accelerate learning.
 - b. For students with an IEP, no ILP is needed.
- 7. **Finalize the decision and notify parents by the last day of school for students.**
 - a. Ideally, decisions regarding non-promotion are made collaboratively between school staff and the student's parent(s). In cases of disagreement, the principal will make the final determination in consultation with the instructional director.
 - b. Formal written notification of the decision is provided to the parent(s) and placed in the student's permanent record.
 - c. **Appeal.** Parents may appeal the principal's decision to the Superintendent or designee in accordance with Board of Education of Frederick County (Board) [Policy 105, Appeal and Hearing Procedures](#).
- 8. **Provide support in the new school year.**
 - a. The student receives targeted academic support aligned with the ILP or IEP.
 - b. Progress is closely monitored and regularly communicated to families.
- iv. Students in grades K–8 who have previously been non-promoted are not eligible for non-promotion a second time.
- c. **Grades 9–12.** Grades 9–12 promotion is based on credit accumulation. Students who do not meet the minimum requirements will not be promoted:
 - i. To Grade 10: 6 credits.
 - ii. To Grade 11: 12 credits.
 - iii. To Grade 12: 18 credits.
- d. Participation in interscholastic athletics is not a consideration in determining a student's academic grade placement.

- e. For students with an IEP or Section 504 Plan, the student's IEP or Section 504 team must review placement and promotion decisions, considering whether the student is working toward a Maryland High School Diploma or a Maryland Certificate of Program Completion.
 - f. **Transcript Review For Students Transferring Into FCPS.** Credits earned from private, out-of-state, or non-public schools will be reviewed by the school counselor in accordance with Maryland State Department of Education (MSDE) guidelines. When needed, final decisions may involve the school principal and/or curriculum supervisors.
 - i. For students with a Section 504 Plan or an IEP who are working toward a Maryland Certificate of Program Completion, promotion and credit decisions will be reviewed by the student's Section 504 or IEP team.
 - ii. Credit evaluations for specific student groups follow additional guidance:
 - 1. Foreign exchange students: See [FCPS Regulation 400-74, *Enrollment of Foreign Exchange Students*](#).
 - 2. Home instruction students: See [FCPS Regulation 400-49, *Home Instruction for Students*](#).
 - iii. Students who have not earned the required number of credits for promotion may recover credits through summer school, the FCPS Virtual School, or other approved credit recovery programs.
3. **Supplemental Reading Instruction.** If results from the required reading screening assessment per [Board Policy 511, *Assessments*](#), indicate that a student is at risk of reading difficulties, staff will:
- a. Provide supplemental reading instruction to address the student's identified areas of need.
 - b. Provide a notification letter to the student's parent that includes:
 - i. The screening results; and
 - ii. A description of the supplemental reading instruction that will be provided to the student.
4. **Additional Guidelines**
- a. If students with a Section 504 Plan or an IEP are considered for non-promotion, the student's IEP or Section 504 team will review placement and promotion options.
 - b. In Grades 2-8, students who are non-promoted will participate in appropriate intervention, based on identified needs.
 - c. Any recommendation for a second non-promotion must be reviewed and approved by the appropriate instructional director.

E. Related Information

- 1. **Board Policy**
 - a. [Policy 105, *Appeal and Hearing Procedures*](#)
(<https://apps.fcps.org/legal/documents/105>)
 - b. [Policy 405, *Graduation*](#)
(<https://apps.fcps.org/legal/documents/405>)
 - c. [Policy 416, *Progress Reporting*](#)

- (<https://apps.fcps.org/legal/documents/416>)
- d. [Policy 511, Assessments](https://apps.fcps.org/legal/documents/511)
(<https://apps.fcps.org/legal/documents/511>)
2. **Code of Maryland Regulations (COMAR)**
- a. [COMAR 13A.03.02](https://fcps-md.info/COMAR_13A-03-02), *Graduation Requirements for Public High Schools in Maryland*
(https://fcps-md.info/COMAR_13A-03-02)
- b. [COMAR 13A.03.08](https://fcps-md.info/COMAR_13A-03-08), *Students at Risk for Reading Difficulties*
(https://fcps-md.info/COMAR_13A-03-08)
- c. [COMAR 13A.04.07](https://fcps-md.info/COMAR_13A-04-07), *Gifted and Talented Education*
(https://fcps-md.info/COMAR_13A-04-07)
3. **External Resources**
- a. [Maryland State Department of Education \(MSDE\). Comprehensive PreK-3 Literary Policy \(Fall 2024\).](https://fcps-md.info/MSDE_Pre-K-3_Lit_Policy)
(https://fcps-md.info/MSDE_Pre-K-3_Lit_Policy)
4. **FCPS Regulations**
- a. [Regulation 400-10, Commencement Procedures and Ceremonies](https://apps.fcps.org/legal/documents/400-10)
(<https://apps.fcps.org/legal/documents/400-10>)
- b. [Regulation 400-40, Summer Session Programs](https://apps.fcps.org/legal/documents/400-40)
(<https://apps.fcps.org/legal/documents/400-40>)
- c. [Regulation 400-49, Home Instruction for Students](https://apps.fcps.org/legal/documents/400-49)
(<https://apps.fcps.org/legal/documents/400-49>)
- d. [Regulation 400-66, Section 504 of the Rehabilitation Act of 1973](https://apps.fcps.org/legal/documents/400-66)
(<https://apps.fcps.org/legal/documents/400-66>)
- e. [Regulation 400-74, Enrollment of Foreign Exchange Students](https://apps.fcps.org/legal/documents/400-74)
(<https://apps.fcps.org/legal/documents/400-74>)
- f. [Regulation 400-88, Gifted and Talented Education](https://apps.fcps.org/legal/documents/400-88)
(<https://apps.fcps.org/legal/documents/400-88>)
- g. [Regulation 400-94, College and Career Readiness and College Completion](https://apps.fcps.org/legal/documents/400-94)
(<https://apps.fcps.org/legal/documents/400-94>)
- h. [Regulation 416-01, Academic Advancement](https://apps.fcps.org/legal/documents/416-01) (formerly 400-89)
(<https://apps.fcps.org/legal/documents/416-01>)
- i. [Regulation 416-02, Grading and Intervention, Elementary](https://apps.fcps.org/legal/documents/416-02) (formerly 500-06)
(<https://apps.fcps.org/legal/documents/416-02>)
- j. [Regulation 416-03, Grading and Intervention, Secondary](https://apps.fcps.org/legal/documents/416-03) (formerly 416-01)
(<https://apps.fcps.org/legal/documents/416-03>)
- k. [Regulation 508-02, School Individualized Education Program \(IEP\) Team](https://apps.fcps.org/legal/documents/508-02) (formerly 400-22)
(<https://apps.fcps.org/legal/documents/508-02>)
5. **FCPS Resources**
- a. [FCPS / Academics / Assessments & Interventions](https://www.fcps.org/academics/assessments_interventions)
(https://www.fcps.org/academics/assessments_interventions)
- b. [FCPS / Families & Students / Additional Programs / Student Service Learning \(SSL\)](#)

(https://www.fcps.org/families_students/additional_programs/student_service_learning_ssl)

c. Forms

- i. [Academic Placement Plan Form](#)
(<https://apps.fcps.org/forms/public-regulation-forms/64>)
- ii. [Individual Learning Plan Form](#)
(<https://apps.fcps.org/forms/public-regulation-forms/62>)

6. Federal Law

- a. Individuals with Disabilities Education Act (IDEA)
- b. Section 504 of the Rehabilitation Act of 1973

7. Maryland Law

- a. [Md. Code Ann., Educ. § 4-136](#)
(https://fcps-md.info/MD_Educ_Code_4-136)
- b. [Md. Code Ann., Educ. § 7-202](#)
(https://fcps-md.info/MD_Educ_Code_7-202)
- c. [Md. Code Ann., Educ. § 7-205](#)
(https://fcps-md.info/MD_Educ_Code_7-205)

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	System of Accountability & School Administration; Equity and Organizational Development
Adoption Dates	11/01/78
Review Dates	
Revision Dates	02/17/23; 05/22/25; 11/20/25