1. **Purpose.** This chapter establishes the Bureau of Indian Education’s (BIE) policy for student progress and promotion.

2. **Authority.**
   2.1. **Statutes and Regulations.**
      2.1.1. 25 CFR § 36.30 – Standard X
      2.1.2. 25 CFR § 36.31 – Standard XI
      2.1.3. 25 CFR § 36.32 – Standard XII
      2.1.4. 34 CFR Part 99 – 20 U.S.C. § 1232g
      2.1.5. 25 CFR Part 43 – 20 U.S.C. § 1232g
      2.1.6. 43 CFR Part 2 – 5 U.S.C. § 552(a)

As with any policy/directive, the positions noted herein are subject to change.

3. **Scope.** This policy applies to all BIE-operated schools.

4. **Roles and Responsibilities.**
   4.1. **Director, Bureau of Indian Education** is responsible for providing general oversight for all BIE programs and activities, including approving this policy.
   4.2. **The Chief Academic Officer** is responsible for ensuring that Associate Deputy Directors actively lead and support Education Program Administrators in providing training and other support to ensure that the provisions of this policy are fully implemented.
   4.3. **The Associate Deputy Director (ADD)** is responsible for ensuring that Education Program Administrators actively support School Principals/Superintendents accurately implement the provisions of this policy.
   4.4. **The Education Program Administrator** is responsible for ensuring that School Principals/Superintendents are appropriately trained in the implementation of this policy. The Education Program Administrator is also responsible for ensuring that each School Principals/Superintendent under his/her supervision accurately implements the provisions of this policy.
   4.5. **The School Principals/Superintendents** are responsible for:
      4.5.1. Monitoring and communicating policy, standards, and best practices for the reporting of student progress to school personnel, parents, and the tribal community.
      4.5.2. Ensuring that grading and reporting procedures are established, reviewed, and applied consistently within the school.

5. **Policy.** It is BIE’s policy to ensure that students progress through the levels of their elementary and secondary education with unbiased judgment and adequate transparency for both students and parents. 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. The conference of a diploma serves as a foundation for the next phase of a young person’s life, further education and career.

5.1. **Progress Assessment and Reporting (25 CFR § 36.30 – Standard X)**

5.1.1. BIE-operated schools shall 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 shall be the primary measure of academic attainment for reporting student grades on report cards.

5.1.2. The information derived from student instructional evaluations shall be shared with the student and with parents/guardians and shall be used to give teachers and students direction for subsequent learning activities.

5.1.3. Parent/guardian/teacher and parent/guardian/teacher student-led conferences focused on each student’s instructional progress and development shall be held to provide an additional means of communication between 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.

5.1.4. Each school shall issue a report card to parents/guardians of students who are under the age of eighteen (18) and to students eighteen (18) years of age and older (including students covered by a free and appropriate public education or FAPE) on a regular basis, but not less than four (4) times yearly. The report card may include, but not be limited to, the following sections:

- Marks, indicating student achievement on grade-level/course expectations
- Recommendations and probable promotion status
- Appropriate signatures and request for return of report cards
- Student attendance record

5.1.5. Teachers shall use a variety of formative assessment approaches over time to create a body of evidence to document student achievement. Student marks shall be based on the collected body of evidence that is aligned to course or grade-level standards.

5.1.6. Written comments by teachers on report cards shall be stated objectively. The comments shall be based on evidence about the student and shall not represent opinions, which cannot be supported by evidence.

5.1.7. No indication shall be made on 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 a disability, the report shall: (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*).
5.1.8. A summary of each year’s final card shall become part of the student’s permanent school record. No indication shall 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 shall: (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*).

5.1.9. Any modification statement or asterisk (e.g., A*) shall not be used for students who receive accommodations, but whose curriculum is not modified.

5.1.10. A traditional letter-grading system shall 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)

5.1.11. 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 shall 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.

5.1.12. Grades, assessment scores, and other student progress information shall be collected, stored, and reported in compliance with the Family Educational Privacy Act (FERPA) (34 CFR Part 99; 25 CFR Part 43; 20 USC 1232g) and the Privacy Act of 1974 (Privacy Act) (43 C.F.R. Part 2; 5 USC § 552(a)).
5.2.1. A student’s GPA (grades 6-12) shall 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 shall both be used to calculate GPA.

5.2.2. High school course credits and grades received for courses taken in grades 7 and 8 shall not be used to calculate the student’s high school GPA.

5.2.3. 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 BIE student’s transcript, but grades are not used to calculate the student’s high school GPA.

5.3. **Grade Level Advancement (25 CFR § 36.31 – Standard XI).**

5.3.1. Each school shall establish and implement a promotion policy that shall be submitted to and approved by the Education Program Administrator (EPA), as appropriate. The requirements shall include, but not be limited to, the following:

- Each grade level or equivalent shall have minimum criteria for student promotion based primarily on measurable mastery of grade-level content standards.
- Criterion-referenced tests that evaluate student skills shall be utilized for measuring the mastery of grade-level content standards. The evaluation results shall 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 shall 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 shall be submitted in writing for approval by the Education Program Administrator, as appropriate.

5.3.2. High school course credits required for grade-level placement are determined by the number of units of course credit earned at each grade level.

5.3.3. 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 2nd grade mathematics course but otherwise stays in the 1st grade classroom) or for the entire grade (e.g., moving to 5th grade after successfully completing the first semester of 4th 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 shall assemble a team to consider the request, to include the accelerated-grade level teacher, principal, current teacher of the student, parent/guardian, gifted-and-talented coordinator, and school psychologist, and if a building change is required, the receiving building’s principal and counselor.

• 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 or legal guardian shall 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.

5.4. Remediation.

5.4.1. Each student in grades K-12 with unsatisfactory achievement of program objectives, standards, or grade-level content expectations shall be reported to parents 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.

5.4.2. Each BIE-operated school shall deliver remedial instruction in mathematics and reading to students in K-6 grade upon recommendation of the classroom teacher.

5.4.3. Credit remediation shall 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.

5.4.4. The school shall communicate opportunities for remediation to parents.

5.5. High School Course Credit.

5.5.1. Course credit shall be awarded when a BIE high school 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

5.5.2. All high school courses taken for course credit in grades 7 and 8 shall appear on the student’s high school transcript and fulfill the BIE school graduation requirements.

5.5.3. 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 percent 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.

5.6.1. To graduate, a student shall 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 shall apply. These are minimum requirements; 15 units shall 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
5.6.2. 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 shall be listed and approved by the Superintendent, as appropriate.

5.6.3. 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.

5.6.4. 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 9th grade entrance year
- Having a grade point average of 2.0 or higher

5.6.5. Early graduation may be approved by the principal if in the student’s best interests and:

- The request has written legal guardian approval
- The student is officially classified as a 12th 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 31st
- For a junior (11th grade student), approval must be obtained no later than May 1st

5.6.6. Students attending a BIE-operated school who have significant cognitive disabilities who receive education based on the alternate content standards, receive additional instruction focusing on functional, community, and life skills development, and are assessed using the alternate assessment, may obtain or qualify for a certificate of completion or an alternate diploma in compliance with BIE policy if one has been approved.

5.6.7. All students in good standing shall be eligible to participate in a commencement ceremony if they have met the requirements of the standard diploma or, for students with the most severe cognitive disabilities, the certificate of completion.
6. **Authority.**

   6.1. Family Educational Rights and Privacy Act
   6.2. Every Student Succeeds Act
   6.3. Individuals with Disabilities Education Act

**Approval**

[Signature]  [DATE]
[Name]  Date

Director, Bureau of Indian Education