



## ADVOCATES FOR CHILDREN

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**Questions? Call Our Hotline  
1-866-427-6033 (Mon-Thurs, 10AM-4PM)**

## APPEALING YOUR CHILD'S HOLDOVER GRADES 4, 6, and 8

Parents who do not believe that their child should be held over have the right to appeal the holdover decision.

**An appeal must be made in writing to the school principal within 3 school days of "mailed notification" of the holdover decision.**

After receiving the appeal, the principal has 2 days to make a recommendation to the Community Superintendent. The Community Superintendent will make the final determination. In past years parents have been notified of the final determination by the end of the regular school year.

In order to ensure that the school receives your appeal:

- Mail it certified mail, return receipt requested. Make sure to keep a copy for yourself! OR
- Hand deliver it to the school. Keep a copy for yourself and make sure to get your copy signed by someone from the principal's office stating the date they received it.

### **GROUND'S FOR APPEAL**

- **School's Failure to Use Multiple Criteria.** In deciding to hold over a student, schools must look at several performance measures including,
  - Student work, Teacher observations, Grades
  - Test scores
  - 90% attendanceYour child **CAN** be held back if they **DO NOT** meet **2 or more** of these 3 criteria
- **Failure to Properly Notify Parents.** A child **can** be held over even if the parents were not notified. Alone, this is not grounds for appeal, but can be discussed along with other grounds to make your argument for appeal stronger. Parents should be advised no later than the Fall parent-teacher conferences that their child is not meeting standards. Written notice should be sent home no later than February 15 if a child continues to be at-risk for meeting standards. Not less than 14 school days prior to the end of the school year, parents should be notified in writing of the June decision not to promote and to recommend summer school.
- **School's Failure to Provide Interventions to Students At-Risk of Not Meeting Standards.** Again, a child **can** be held over regardless of a school's failure to provide interventions, but it can be included in your discussion of why

your child should not be left back. Parents and teachers of children who are at-risk of not meeting standards should meet to discuss strategies and interventions that will help move them toward promotion.

- **The Student is Exempt from Regular Promotion Standards.** English language learners who have been in schools for less than 2 years cannot be held over. Special Education students with Individual Education Plans should refer to their IEP to determine what standards they must meet for promotion. This is not limited to special education students in separate classes. It includes students who receive resource room, related services such as speech, etc.
- **Child did not Meet 90% Attendance but for Valid Health Reasons.** If the child was out for valid health reason that can be documented this should not be counted against the student. You should enclose a copy of any documentation, such as a doctor's note.

When writing your letter be sure to discuss any of the above reasons that apply to your child and any other reasons which you believe should be considered in your child's appeal.

**If you would like more information or a copy of a sample letter please contact AFC. Call our hotline at 1-866-427-6033 (Mon-Thurs, 10AM-4PM).**