

Assembly Bill 104 Retention Guidelines

Assembly Bill 104 (included in Senate Bill 130) recently became law, taking effect immediately. It adds the following Section to the Education Code.

Education Code Section 48071 – Pertaining to supplemental requirements for retention that apply to the 2021-22 academic year.

Upon receiving a written request from the parent of an eligible pupil to retain the pupil for the 2021-22 school year, Fontana USD school sites must offer the parent a consultation that includes the parent, the pupil, an administrator, and a teacher.

- “Eligible Pupil” is defined as a pupil who has received “deficient grades for at least one-half (50% or more) of the pupil’s coursework in the 2020-21 academic year.”
- “Deficient grade” is defined as a D, F

The required consultation must take place within 30 calendar days of receiving the written request.

The new law is aligned to Fontana USD Board Policy 5123, matching existing Fontana USD practice.

Specific highlights of the requirements/process include:

- **Within 30 days of receiving written request, retention consultation meeting** with parent, student, administrator, teacher is required
 - ◆ Discover all learning recovery options including access to failed courses (credit recovery)
 - ◆ Consideration of all academic data to determine if retention is in the best interest of student academically and socially
 - ◆ Discussion about effects of pupil retention, and types of intervention/supports

[FAQs Pupil Promotion & Retention - Pupil Promotion & Retention \(CA Dept of Education\)](#)

<https://www.ascd.org/el/articles/grade-retention>

<https://www.edweek.org/teaching-learning/why-schools-are-not-holding-students-back-to-address-covid-19-learning-loss/2020/06>

<https://districtadministration.com/5-factors-to-consider-when-parents-request-grade-retention-for-their-child/>

<https://www.brookings.edu/research/is-retaining-students-in-the-early-grades-self-defeating/>

<https://www.cdl.org/for-parents-and-teachers/retention/>

- Fontana USD makes ultimate decision on retention, school sites **must provide notification of decision within 10 days of consultation.**

View Sample Letter