

<u>Section I:</u> Instructional Goals and Objectives	Knox County Board of Education Policy		
	Descriptor Term: Promotion, Retention, Acceleration	Descriptor Code: I-340	Issued: 7/95
		Reviewed: 3/24	Revised: 4/24

Promotion, retention, or acceleration shall be considered on the basis of what is best for the child. The parents may appeal the decision to the principal, the Director of Schools, and the Board of Education.¹

PROMOTION

The academic program implemented in each school shall be designed to help students achieve the expectations of the grade-level State Board of Education approved Tennessee Academic Standards and meet the requirements for promotion to the next grade. Promotion to the next grade level shall be based on the successful completion of required academic work or demonstration of satisfactory progress in each of the relevant academic areas.²

A student in the 3rd grade shall not be promoted to the next grade level unless the student is determined to be proficient in English Language Arts (ELA) on the student’s achieving a performance level rating of “met expectation” or “exceeded expectations” on the ELA portion of the student’s most recent Tennessee Comprehensive Assessment Program (TCAP) test.

For the purposes of this policy, a student’s most recent TCAP test is the 3rd grade spring ELA TCAP, or the 3rd grade ELA TCAP retest opportunity, whichever score is higher.

A student in 3rd grade who scores “approaching expectations” on the ELA portion of the TCAP test may be promoted to the 4th grade if the student meets the requirements of any one (1) of the following pathways:

1. Pathway 1: The student is an English language learner and has received less than two (2) full school years of ELA instruction or if it is determined that the student is not proficient in ELA based solely on a lack of English language proficiency;
2. Pathway 2: The student was previously retained in any of the grades Kindergarten through three (K-3);
3. Pathway 3: The student is retested in accordance with Department guidelines before the beginning of the next school year and scores proficient on the retest;
4. Pathway 4: The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a 90% attendance rate at the camp, and student’s performance on the post-test at the end of the learning loss bridge camp, as required under T.C.A. § 49-6-1502(4)(f), demonstrates adequate growth;
 - a. Adequate growth is defined as a student improving scores between a baseline assessment and the post-test by at least five (5) percentage points. The baseline assessment is the ELA portion of the 3rd grade spring TCAP (excluding writing), unless a student moves into the

1 “approaching” performance level as a result of the 3rd grade TCAP retest, in which case
 2 the baseline assessment for that student is the 3rd grade retest score. The post-test will be
 3 the Department of Education-developed, standards-aligned assessment administered at the
 4 conclusion of summer camps.

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 6 b. A student is eligible for this adequate growth promotion pathway if the student scores
 7 “approaching” on either the 3rd grade spring TCAP or on the ELA portion of the 3rd grade
 8 TCAP retest opportunity.
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- 10 5. Pathway 5: The student receives high-dosage, low-ratio tutoring for the entirety of the upcoming
 11 school year from a Tennessee accelerating literacy and learning corps (TN ALL Corps) tutor.
 12 “High-dosage, low-ratio tutoring” means a minimum of two (2) thirty (3) minute sessions per
 13 week with a one to three (1:3) teachers to student ratio. TN ALL Corps tutoring may be provided
 14 through the following options:

- 15
 16 a. A tutor recruited and trained through the Department’s TN ALL Corps grant program; or
 17
 18 b. A district recruited tutor who has completed the Department’s TN ALL Corps training.
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- 20 6. Pathway 6: The student demonstrates proficiency in ELA standards based on the student scoring
 21 at or above the fiftieth (50th) percentile on the most recently administered state-provided
 22 benchmark assessment, if the benchmark assessment is administered to the student in a test
 23 environment, in accordance with Department guidance, and the student’s LEA or public charter
 24 school agrees to provide tutoring services to the student for the entirety of the student’s fourth
 25 (4th) grade year.

- 26 a. If a student is promoted to the fourth (4th) grade pursuant to this Pathway 6, then the
 27 student’s LEA or public charter school shall notify the student’s parent or guardian, in
 28 writing, of the benefits of enrolling their student in a learning loss bridge camp and
 29 encouraging the parent or guardian to do so.
 30 b. As defined in State Board Rule 0520-01-03-.16, “state-provided benchmark assessment”
 31 means the Tennessee Universal Reading Screener provided by the Department.
 32 c. The tutoring services provided to the student for the entirety of the student’s fourth (4th)
 33 grade year must be high-dosage, low ratio tutoring, as defined in State Board Rule 0520-
 34 01-03-.16.
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36 The parent or legal guardian of a student achieving a performance level of “approaching” may appeal
 37 directly to the Tennessee Department of Education.⁵
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39 A student who is not proficient in ELA, as determined by the student's achieving a performance level
 40 rating of “below” on the ELA portion of the student's most recent TCAP test may be promoted if the
 41 student meets the requirements of any one (1) of the following pathways:
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- 43 1. Pathway 1: The student is currently receiving ELL services and has received less than 2 years of
 44 English instruction or if it is determined that the student is not proficient in ELA based solely on
 45 a lack of English language proficiency;
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 47 2. Pathway 2: The student was previously retained in any of the grades Kindergarten through three
 48 (K-3);
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- 1 3. Pathway 3: The student retested in accordance with Department guidelines before the beginning
2 of the next school year and scores proficient on the assessment;³ or
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4 4. Pathway 4: The student attends a learning loss bridge camp before the beginning of the upcoming
5 school year, maintains a 90% attendance rate at camp, and receives high-dosage, low-ratio
6 tutoring for the entirety of the upcoming school year from a TN ALL Corps tutor.
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8 A student who is promoted to the 4th grade pursuant to Pathway 4 or Pathway 5 must show adequate
9 growth on the 4th grade ELA portion of the TCAP test before the student may be promoted to the 5th
10 grade.
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12 **APPEALS TO THE TENNESSEE DEPARTMENT OF EDUCATION**

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14 The parent or legal guardian of a student who is identified for retention in third (3rd) grade based on the
15 student's achieving a performance level rating of "approaching" on the ELA portion of the most recent
16 ELA TCAP test, may appeal directly to the Tennessee Department of Education. A parent or legal
17 guardian may provide written consent to allow a school representative to file an appeal for the student on
18 behalf of the parent or legal guardian.
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20 **Ground 1 Appeal**

- 21
22 1. The parent or legal guardian of the student agrees they were provided notice of all requirements
23 of a Ground 1 appeal and agrees that their student will comply with all requirements if the
24 Commissioner's designee overturns the identification of the student as at risk for retention in 3rd
25 grade;
26 2. The student scores at or above the fortieth (40th) percentile on the Tennessee Universal Reading
27 Screener provided by the Tennessee Department of Education and administered by the district;
28 3. The principal of the student's school agrees to develop an academic remediation plan for the
29 student. The academic remediation plan shall include evidenced-based strategies tailored to the
30 student's learning needs. These evidenced-based strategies shall include at least one (1) of the
31 following:
32 a. Adjustment to current instructional strategies or high quality instructional materials;
33 b. Additional instructional time;
34 c. Modification to the student's classroom assignment to ensure the student receives
35 instruction from a teacher with a level of overall effectiveness of above expectations (level
36 4) or significantly above expectations (level 5); or
37 d. Placement of the student in a classroom with a reduced class size.
38 4. The student's current ELA teacher and school principal provide a unanimous recommendation
39 that the student be promoted to the 4th grade; and
40 5. The student's district agrees to provide high-dosage, low-ratio tutoring services to the student for
41 the entirety of the student's fourth (4th) grade year.
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43 **Ground 2 Appeal**

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45 The parent or legal guardian of the student identified as at risk for retention in third (3rd) grade, or the
46 school personnel authorized to file an appeal on behalf of the parent or legal guardian, documents that a
47 catastrophic situation occurred on the third (3rd) grade ELA TCAP test date or within sixty (60) calendar
48 days leading up to the ELA TCAP test administration that impacted the student's ability to demonstrate
49 the student's current level of knowledge on the test. Examples of a catastrophic situation include, but are
50 not limited to, a death in the immediate family, loss of a family home, or significant medical diagnosis.

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2 A student shall not be retained in 4th grade more than once.
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4 There shall be no graduation exercises at any grade level prior to graduation from high school.
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6 **RETENTION**

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8 In accordance with State Board of Education policy, schools shall identify students who demonstrate
9 difficulty in achieving the requirements for promotion to the next grade level and therefore may be
10 considered for retention by February 1. Factors used to identify students who may be considered for
11 retention shall, at a minimum, include:

- 12 1. The student's ability to perform at the expectations of the current grade-level standards;
- 13 2. The results of local assessments, screening, or monitoring tools;
- 14 3. State assessments, as applicable;
- 15 4. The overall academic achievement of the student;
- 16 5. The student's likelihood of success with more difficult material if promoted to the next grade;
- 17 6. The student's attendance record; and
- 18 7. The student's social and emotional maturity.

19
20 If a student is considered for retention, the school shall notify the student's parent or legal guardian within
21 fifteen (15) calendar days of identification. The school shall develop and implement an individualized
22 promotion plan to help the student avoid retention.
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24 If a retention decision has been made, then the school shall develop an individualized academic
25 remediation plan for the retained student prior to the start of the next school year. The academic
26 remediation plan shall be developed in coordination with the student's teachers and may include input
27 from the student's parents and other appropriate school personnel. A student shall not be retained more
28 than one (1) time in any given grade level.
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30 It shall be the responsibility of the principal to send the Director of Schools a list of pupils who have been
31 retained stating pupil's name, grade, and/or subject.
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33 **ACCELERATION**

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35 The teacher, in consultation with appropriate professional staff and parents, will make the decision for
36 the promotion of a pupil to an upper grade.
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38 **STUDENTS WITH DISABILITIES OR SUSPECTED DISABILITIES**

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40 A student in the third grade receiving a score of "approaching" or "below" on the ELA portion of the
41 student's most recent TCAP test may be promoted if they meet certain requirements set out in the law.
42 This applies to students with and without disabilities. However, a student may not be retained based on
43 their disability or suspected disability. Retention and promotion decisions must be made on a case-by-
44 case basis and should be made in consultation with the IEP and/or 504 team to determine whether the
45 student's performance on the ELA TCAP was due to his/her disability. Such consultation should include
46 but is not limited to a review of evaluation and eligibility data, input from the student's teachers and
47 parents, benchmark assessments, and classroom performance.
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49 Likewise, a student may not be retained solely due to a suspected disability. If the LEA has reason to
50 suspect a disability (e.g., the student is not making progress when provided research-based intervention,

1 the student has been referred but not yet evaluated for special education, or parents have provided
2 documentation of a disability), the student may not be retained if the reason for their TCAP performance
3 may be due to the suspected disability.⁴
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38 Legal References:

- 39 1. Tennessee State Board of Education Policy 3.300.
- 40 2. T.C.A. § 49-6-3106.
- 41 3. T.C.A. § 49-6-3115.
- 42 4. T.C.A. § 49-6-1507.
- 43 5. State Board Rule 0520-01-03-.16.
- 44 6. Tennessee Department of Education, Learning Loss, Special Education FAQs for Districts and Schools,
45 https://www.tn.gov/content/dam/tn/education/2020-21-leg-session/Learning%20Loss_SPED%20FAQ.pdf

46 Approved as to Legal Form
47 By Knox County Law Director 3/18/2024
48 /Gary T. Dupler/Deputy Law Director
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