



## RESOLUTION

**A RESOLUTION OF THE BOARD OF EDUCATION  
OF KNOX COUNTY, TENNESSEE,  
SUPPORTING OUR STUDENTS AND TEACHERS  
BY REQUESTING  
THE TENNESSEE GENERAL ASSEMBLY  
AMEND T.C.A. § 49-6-3115  
TO ALLOW SCHOOL DISTRICTS  
TO MAKE RETENTION DECISIONS  
FOR THIRD AND FOURTH-GRADE STUDENTS**

**RESOLUTION: 23-005**

**PREPARED BY: KATHERINE BIKE  
BOARD MEMBER  
FOURTH DISTRICT**

**APPROVED AS TO LEGAL FORM:**

  
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**DEPUTY LAW DIRECTOR**

**BOARD APPROVED: December 7, 2022  
RECOMMITTED: September 7, 2023**

WHEREAS, the Knox County Board of Education is elected by the people of Knox County to govern the Knox County Schools; and

WHEREAS, the Knox County Board of Education is charged with governing the school district so that all students receive the best educational opportunities in order to graduate prepared to enter a postsecondary institution or the workforce; and

WHEREAS, the State of Tennessee and local LEA's, such as the Knox County Board of Education, are to be held accountable according to the standards provided in the Every Student Succeeds Act (ESSA); and

WHEREAS, the educational outcomes for the students who have been retained have been mixed, with one reported negative outcome being that retention laws can have adverse effects on students with disabilities (especially undiagnosed) and at-risk students' assessments (*See*, National Association of School Psychologists, "Guidance on the Use of Grade Retention and Special Education Eligibility to Address Instructional Loss" and references); and

WHEREAS, other than Tennessee, most of the states that have adopted legislation regarding the retention of third-grade students have included in that legislation a provision allowing school districts to promote students who were not proficient in ELA as measured by standardized state tests but yet showed progress based on school district data, demonstrating an understanding of ELA via alternative knowledge (*See*, National Conference of State Legislatures, "A Look at Third-Grade Reading Retention Policies"); and

WHEREAS, not affording school districts the discretion to make retention decisions based on all school district information on each student adversely and disproportionately affects students who, for many reasons, might not perform well on standardized tests but yet demonstrate an understanding of ELA via alternative knowledge assessments.

**NOW, THEREFORE, BE IT RESOLVED**, that the Knox County Board of Education urges the Tennessee General Assembly to amend T.C.A. § 49-6-3115 to allow school districts to make retention decisions for third grade and fourth grade students based upon school district information on each student which could impact individual students, including but not limited to, special education and ELL issues; and

**BE IT FURTHER RESOLVED** that decisions regarding student retention or promotion must be made by the professional staff of each LEA in coordination with the student's parents/guardians by considering the unique educational needs of each student, including, but not limited to the following, (from the Tennessee State Board of Education Promotion and Retention Policy 3.300, p.2, Revised 02/08/2019):

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

  
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Chair, Knox County Board of Education

Date: September 7, 2023