

<u>Section I:</u>  <b>Instructional Goals and Objectives</b>	<b>Knox County Board of Education Policy</b>		
	<b>Descriptor Term:</b>  <b>Promotion, Retention, Acceleration</b>	<b>Descriptor Code:</b> <b>I-340</b>	<b>Issued:</b> <b>7/95</b>
		<b>Reviewed:</b> <b>9/24</b>	<b>Revised:</b> <b>10/24</b>

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.<sup>1</sup>

**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.<sup>2</sup>

A student in the 3<sup>rd</sup> 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 3<sup>rd</sup> grade spring ELA TCAP, or the 3<sup>rd</sup> grade ELA TCAP retest opportunity, whichever score is higher.

A student in 3<sup>rd</sup> grade who scores “approaching expectations” on the ELA portion of the TCAP test may be promoted to the 4<sup>th</sup> 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 3<sup>rd</sup> grade spring TCAP (excluding writing), unless a student moves into the

1 “approaching” performance level as a result of the 3<sup>rd</sup> grade TCAP retest, in which case  
 2 the baseline assessment for that student is the 3<sup>rd</sup> 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 3<sup>rd</sup> grade spring TCAP or on the ELA portion of the 3<sup>rd</sup> 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  
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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 (50<sup>th</sup>) 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 (4<sup>th</sup>) grade year.

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

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21 The parent or legal guardian of a student who is identified for retention in third (3<sup>rd</sup>) grade based on the  
22 student's achieving a performance level rating of "approaching" on the ELA portion of the most recent  
23 ELA TCAP test, may appeal directly to the Tennessee Department of Education. A parent or legal  
24 guardian may provide written consent to allow a school representative to file an appeal for the student on  
25 behalf of the parent or legal guardian.  
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### 27 **Ground 1 Appeal**

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

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

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16 A student shall not be retained in 4<sup>th</sup> grade more than once.

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18 There shall be no graduation exercises at any grade level prior to graduation from high school.

## 19 **RETENTION**

20  
21 In accordance with State Board of Education policy, schools shall identify students who demonstrate  
22 difficulty in achieving the requirements for promotion to the next grade level and therefore may be  
23 considered for retention by February 1. Factors used to identify students who may be considered for  
24 retention shall, at a minimum, include:  
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- 26 1. The student's ability to perform at the expectations of the current grade-level standards;
- 27 2. The results of local assessments, screening, or monitoring tools;
- 28 3. State assessments, as applicable;
- 29 4. The overall academic achievement of the student;
- 30 5. The student's likelihood of success with more difficult material if promoted to the next grade;
- 31 6. The student's attendance record; and
- 32 7. The student's social and emotional maturity.

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39 If a student is considered for retention, the school shall notify the student's parent or legal guardian within  
40 fifteen (15) calendar days of identification. The school shall develop and implement an individualized  
41 promotion plan to help the student avoid retention.

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43 If a retention decision has been made, then the school shall develop an individualized academic  
44 remediation plan for the retained student prior to the start of the next school year. The academic  
45 remediation plan shall be developed in coordination with the student's teachers and may include input  
46 from the student's parents and other appropriate school personnel. A student shall not be retained more  
47 than one (1) time in any given grade level.

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49 It shall be the responsibility of the principal to send the Director of Schools a list of pupils who have been  
50 retained stating pupil's name, grade, and/or subject.

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**ACCELERATION**

The teacher, in consultation with appropriate professional staff and parents, will make the decision for the promotion of a pupil to an upper grade.

**VOLUNTARY RETENTION**

A parent or legal guardian of a student enrolled in kindergarten through two (K-2) may elect to retain the parent's or legal guardian's student in the student's current grade level if the student has a documented academic or behavioral delay (as defined by the Tennessee State Board of Education) and the parent or legal guardian believes that retention may benefit the student. If a parent or legal guardian elects to retain the parent's or legal guardian's student in the student's current grade level, subject to federal and state law regarding students with disabilities and English language learners, the school shall retain the student in the student's current grade level at the parent's or legal guardian's request. A student cannot be retained in any grade level more than once.<sup>7</sup>

**STUDENTS WITH DISABILITIES OR SUSPECTED DISABILITIES**

A student in the third grade receiving a score of “approaching” or “below” on the ELA portion of the student’s most recent TCAP test may be promoted if they meet certain requirements set out in the law. This applies to students with and without disabilities. However, a student may not be retained based on their disability or suspected disability. Retention and promotion decisions must be made on a case-by-case basis and should be made in consultation with the IEP and/or 504 team to determine whether the student’s performance on the ELA TCAP was due to his/her disability. Such consultation should include but is not limited to a review of evaluation and eligibility data, input from the student’s teachers and parents, benchmark assessments, and classroom performance.

Likewise, a student may not be retained solely due to a suspected disability. If the LEA has reason to suspect a disability (e.g., the student is not making progress when provided research-based intervention, the student has been referred but not yet evaluated for special education, or parents have provided documentation of a disability), the student may not be retained if the reason for their TCAP performance may be due to the suspected disability.<sup>4</sup>

Legal References:

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

Approved as to Legal Form  
By Knox County Law Director 8/16/2024  
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