

Resolution 2022-2
Urging the Tennessee General Assembly to Amend TCA Section 49-6-3115 to
Allow Local Education Agencies to Make Retention Decisions

BOARD RESOLUTION No. 2022-2

Warren County Board of School Commissioners McMinnville, Tennessee

In regular session September 26, 2022

WHEREAS, the Warren County School Board always thinks of “children first,” when determining decisions that will affect the education and training of children; and

WHEREAS, the Warren County School Board strives to provide the best and most equitable educational opportunities for all children; and

WHEREAS, the 112th General Assembly of the State of Tennessee passed the Learning Loss Remediation and Student Acceleration Act, which requires that, with a few exceptions, 3rd grade students who score below proficient on the ELA portion of the Tennessee Comprehensive Assessment Program (TCAP) test be retained in 3rd grade unless they attend a summer learning camp with 90% attendance and/or participate in TN ALL Corps tutoring during their 4th grade year; and

WHEREAS, the Warren County School Board believes that retention decisions regarding children should not be made at the state level using a single data source but should be made locally based on research, informed by multiple data sources, and include parental and school-level input; and

WHEREAS, the Tennessee State Board of Education policy 3.300 states that “[r]etention shall be considered only when it is in the best interests of the student;” and

WHEREAS, Policy 3.300 lists a minimum of factors to be considered when identifying students for retention, including:

1. The student’s ability to perform at the expectations of the current grade-level standards;
2. The results of local assessments, screening, 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; and

WHEREAS, the Warren County School Board finds incredible value in the use of data and metrics, and has a history of, and desire to, continue to make great strides in proficiency and growth we, however, resolve that the current law does not reflect that as the TCAP ELA Assessment is one test on one day and does not always provide a true indication of whether a student is reading on grade level; and

WHEREAS, research shows retention may have adverse effects on students, including those with disabilities, socio-economically disadvantaged students, and at-risk students; and

WHEREAS, the Warren County School Board believes that the law should be amended to include provisions allowing school districts to promote students not proficient in ELA as measured by standardized tests using school district data including local, state-approved benchmark assessments which demonstrate an understanding of or growth in ELA; and

WHEREAS, Warren County Board Policy 1.105 states the Board shall work for the passage of new laws designed to advance the cause of improving public education in Tennessee and work for the repeal or modification of existing laws and the defeat of proposed laws that impede this cause; and

WHEREAS, the Board and the Warren County Schools staff are willing to engage in conversations and work with our local legislators and extend an invitation to them to work together to identify solutions and areas for improvement to make the legislation stronger and more appropriate for all students.

NOW, THEREFORE, BE IT RESOLVED, that the Warren County School Board urges the General Assembly to amend Tennessee Code Annotated section 49-6-3115 to allow local education agencies to make retention decisions for their students based upon the totality of the circumstances for each individual student, collaboration between the school and parents, and the training, experience, and expertise of educators regarding the best interests of their students.

ADOPTED THIS 26th Day of September 2022.



Tommy Culwell, Board Chair



Grant Swallows Ed.D, Director of Schools