



ACS RESOLUTION 2022-22

**A RESOLUTION OF THE ARLINGTON COMMUNITY SCHOOLS
BOARD OF EDUCATION TO SUPPORT OUR STUDENTS AND TEACHERS
BY REQUESTING THE TENNESSEE GENERAL ASSEMBLY
TO AMEND PUBLIC ACTS OF 2021, CHAPTER NO. 1
TO INCLUDE A PROVISION ALLOWING SCHOOL DISTRICTS IN
THE STATE OF TENNESSEE TO MAKE RETENTION DECISIONS
FOR THIRD-GRADE STUDENTS BASED NOT JUST UPON TCAP RESULTS
BUT INSTEAD UPON AN AGGREGATE OF ALL ASSESSMENT DATA
PERTAINING TO INDIVIDUAL STUDENTS**

WHEREAS, during its 2021 special session, the Tennessee General Assembly adopted Public Chapter No. 1, which provides in pertinent part that, “Beginning with the 2022-2023 school year, a student in third-grade shall not be promoted to the next grade level unless the student is determined to be proficient in English language arts (ELA) based on the student’s achieving a performance level rating of “on track” or “mastered” on the ELA portion of the student’s most recent Tennessee comprehensive assessment program (TCAP) test”; AND

WHEREAS, Public Chapter No. 1 provides that notwithstanding the aforementioned provision, a third-grade student who is not proficient in ELA as determined by the student’s achieving a performance level rating of “approaching” on the ELA portion of the student’s most recent TCAP test may be promoted if:

- a) The student is an English language learner and has received less than two years of ELA instruction;
- b) The student was previously retained in any of the grades k-3;
- c) The student is retested before the beginning the next school year and scores proficient in ELA;
- d) 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 the student’s performance on the post-test at the end of the learning loss bridge camp demonstrates adequate growth as determined by the Department of Education; or
- e) The student is assigned a tutor through the Tennessee accelerating literacy and learning corps to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the
- f) Department of Education.; AND

WHEREAS, Public Chapter No. 1 provides that a third-grade student who is not proficient in ELA as determined by the student's achieving a performance level rating of "below" on the ELA portion of the student's most recent TCAP test may be promoted if:

- a) The student is an English language learner and has received less than two years of ELA instruction;
- b) The student was previously retained in any of the grades k-3;
- c) The student is retested before beginning the next school year and scores proficient in ELA; or
- d) The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety (90%) percent attendance rate at the camp, and is assigned a tutor through the Tennessee accelerating literacy and learning corps to provide the student with tutoring services for the entirety of the upcoming school year based on tutoring requirements established by the Department of Education; AND

WHEREAS, in states that have adopted legislation regarding the retention of third-grade students, the educational outcomes for the students that have been retained have been mixed, with one reported negative outcome being that retention laws can have adverse effects on students with disabilities and at-risk students; AND

WHEREAS, other than Tennessee, most if not all of the states that have adopted legislation regarding the retention of third-grade students have included in said legislation a provision that allows school districts to advance students who were not proficient in ELA as measured by standardized state tests, but yet show progress based on school district data that demonstrates an understanding of ELA via alternative knowledge assessments; AND


WHEREAS, Tennessee's failure to afford school districts the discretion to make retention decisions based on school district data which measures student progress, discriminates against students that, for many reasons, might not perform well on standardized tests, but yet demonstrate an understanding of ELA via alternative knowledge assessments.

WHEREAS, on August 24, 2021 the Arlington Community Schools Board of Education passed Resolution 2021-13 imploring the Tennessee General Assembly to amend Public Acts of 2021, Chapter No. 1 to include a provision allowing school districts in the State of Tennessee to make retention decisions for third-grade students based upon school district data which demonstrates an understanding of ELA; however, the Board's plea was ignored.

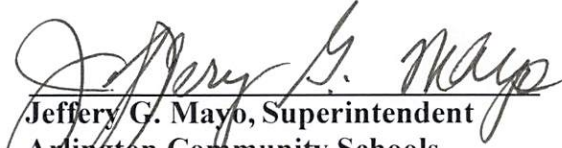
WHEREAS, other school districts throughout the State of Tennessee, other than the ACS Board of Education, made similar requests of the General Assembly to amend Public Acts of 2021, Chapter No.1, all for the purpose of avoiding serious negative consequences to hundreds, if not thousands of students throughout the State of Tennessee; however, all efforts were ignored by the General Assembly.

NOW, THEREFORE, BE IT RESOLVED BY THE ARLINGTON COMMUNITY SCHOOLS BOARD OF EDUCATION that the Arlington Community Schools Board of Education renews its request to the Tennessee General Assembly that Public Acts of 2021, Chapter No. 1 be amended to include a provision allowing school districts in the State of Tennessee to make retention decisions for third-grade students based not just upon TCAP results, but instead upon an aggregate of all assessment data pertaining to individual students.

On this 27th day of September, 2022.



Kay Williams, Chairman
Arlington Community Schools
Board of Education



Jeffery G. Mayo, Superintendent
Arlington Community Schools
Secretary to the Board