

**RESOLUTION REQUESTING GENERAL ASSEMBLY TO AMEND TENNESSEE
CODE ANNOTATED § 49-6-3115 TO ALLOW SCHOOL DISTRICTS TO MAKE
RETENTION DECISIONS FOR THIRD AND FOURTH GRADE STUDENTS**

WHEREAS, the Cheatham 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;

WHEREAS, Tennessee Code Annotated 49-6-3115 states 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 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;

WHEREAS, Tennessee Code Annotated 49-6-3115 states, however, that a third-grade student who is not proficient in ELA as determined by 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 (2) 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;
- 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 Department of Education;

WHEREAS, Tennessee Code Annotated 49-6-3115 goes on to further state that a third-grade student who is not proficient in ELA as determined by 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 (2) 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;

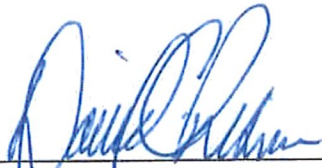
WHEREAS, a student who is promoted to the fourth grade pursuant to this process must show adequate growth on the fourth grade ELA portion of the TCAP test, as determined by the Department of Education, before the student may be promoted to the fifth grade; and

WHEREAS, in states that have adopted similar legislation, 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 and at-risk students;

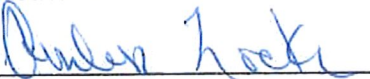
WHEREAS, other than Tennessee, most if not all of the states that have adopted legislation regarding the retention of third-grade students have included a provision allowing school districts to promote students who, even though not proficient in ELA as measured by standardized state tests, showed progress based on school district data demonstrating 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 all school district data that measures student progress, 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.

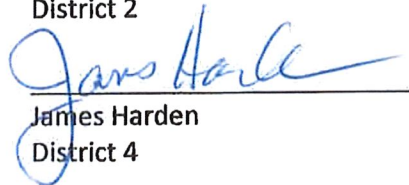
NOW, THEREFORE, BE IT RESOLVED, that the Cheatham County Board of Education urges the General Assembly to (1) phase in the law pertaining to the retention of third grade students so that retention by the standards set forth in the law will not be applicable until the 2025-2026 school year, thus giving students the opportunity to have uninterrupted instruction in literacy from kindergarten through third grade, (2) from the current school year until the 2025-2026 school year, allow local school districts to determine whether third grade students should be promoted or retained based on quantifiable demonstrations of progress in understanding ELA and 3) provide adequate funding that will support or reimburse local school districts for any and all costs associated with compliance with any law pertaining to the retention of third grade or fourth-grade students.



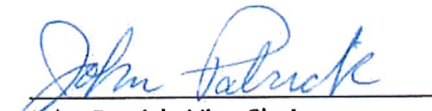
David C. Risner, Chairman
District 6



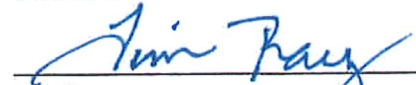
Amber Locke
District 2



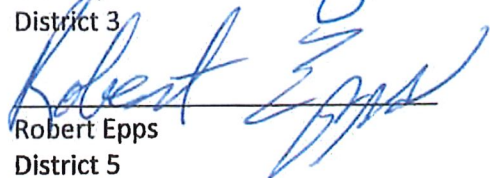
James Harden
District 4



John Patrick, Vice Chairman
District 1



Tim Ray
District 3



Robert Epps
District 5