

Third Grade Retention: Ground 1 Appeal Recommendation Form

Pursuant to T.C.A. § 49-6-3115 and State Board of Education (SBE) Rule 0520-01-03-.16, the parent or legal guardian of a student who is identified for retention in third grade based on the student's achieving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test, may appeal directly to the Department.

Requirements for a Ground 1 appeal include:

- The parent or legal guardian of the student agrees they were provided notice of all requirements of a Ground 1 appeal and agrees that their student will comply with all requirements of a Ground 1 appeal if retention is overturned.
- For the 2023-24 academic year, the student scores at or above the fortieth (40th) percentile on a SBE- approved universal reading screener administered by the LEA or public charter school.
- The principal of the student's school agrees to develop an academic remediation plan, in coordination with the student's teachers, IEP or 504 team if applicable, for the student. The academic remediation plan shall include evidence-based strategies and input from the student's parents and other appropriate school personnel.
- The student's current ELA teacher and school principal provide a unanimous recommendation that the student be promoted to the 4th grade.
- The student's LEA or public charter school agrees to provide high-dosage low-ratio tutoring services to the student for the entirety of the student's fourth (4th) grade year.

To file a Ground 1 appeal, a parent or legal guardian, or a school official who has received written consent on behalf of the parent or legal guardian, can submit an appeal form at the Department's [Learning Acceleration](#) page.

When submitting the appeal, the submitter will need to upload the following signature page completed by the student's principal and ELA teacher to show agreement to the stated requirements for the appeal.

Ground 1 Appeal Signature Form

Student Legal Name

School District Name

Student ID

School Name

Principal Agreement to Develop an Academic Remediation Plan, Provide Tutoring, and Recommendation for Promotion to Fourth Grade

[State Board of Education \(SBE\) Rule](#) requires the principal of the student's school to agree to develop an academic remediation plan for the student at risk for retention. The academic remediation plan shall be developed in coordination with the student's teachers, IEP or 504 team, if applicable, and may also include input from the student's parents, school counselor, or other appropriate school personnel. The academic remediation plan shall include evidence-based strategies tailored to the student's learning needs. These evidence-based strategies shall include at least one of the following:

- I. Adjustment to current instructional strategies or high-quality instructional materials;
- II. Additional instructional time;
- III. Modification to the student's classroom assignment to ensure the student receives instruction from a teacher with a level of overall effectiveness of above expectations (level 4) or significantly above expectations (level 5); or
- IV. Placement of the student in a classroom with a reduced class size.

SBE Rule also requires the LEA or public charter school to agree to provide high-dosage, low-ratio tutoring to the student for all of fourth grade.

SBE Rule also requires the student's current principal to provide a recommendation that the student be promoted to the 4th grade.

Your signature below indicates your recommendation for the student to be promoted to the 4th grade and your agreement to the provisions above.

Principal Name

Principal Signature

Date

ELA Teacher Recommendation for Promotion to Fourth Grade

SBE Rule requires the student's current ELA teacher provide a recommendation that the student be promoted to the 4th grade.

Your signature below indicates your recommendation for the student to be promoted to the 4th grade.

ELA Teacher Name

ELA Teacher Signature

Date