

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION		
PROMOTION AND RETENTION, GRADING, AND ASSESSMENT		4603
ADOPTED: April 9, 2021	REVISED: July 28, 2023	MONITORING: Review: Annually

Each authorized charter school shall adopt a promotion and retention policy in accordance with state laws and policies.

Promotion.¹ For schools serving students in grades kindergarten through eight (K-8):

The school leader or his/her designee shall promote students to the next grade level based on the successful completion of required academic work and on the satisfactory progress in each of the relevant academic areas. However, no student enrolled in the third (3rd) grade shall be promoted without meeting the requirements or exemptions outlined below. Students who have difficulty in achieving the requirements for promotion may be considered for retention. Factors used to identify students who may be considered for retention shall, at minimum, include:

- (1) The student’s ability to perform at the current grade level standards;
- (2) The results of local or state assessments, screening, or monitoring tools, if applicable;
- (3) The overall academic achievement of the student;
- (4) The student’s chance for success with more difficult material if promoted to the next grade;
- (5) Attendance; and
- (6) Social and emotional maturity.

Schools shall identify students who demonstrate difficulty in achieving the requirements for promotion to the next grade level and therefore may be considered for retention by February 1. However, a student may be identified for retention after February 1 if the delay is due to:

- (1) Date of enrollment; or
- (2) Additional information acquired after results of local assessment, screening, or monitoring are released.

When a student is considered for retention, the student’s parent/guardian shall be notified within fifteen (15) days, and an individualized promotion plan shall be developed to help the student avoid retention. The individualized promotion plan shall be developed in coordination with the student’s teachers and may also include input from the student’s parents, school counselor, or other appropriate school personnel. This plan shall be provided to the student’s parent/guardian and the school shall offer to hold a parent-teacher conference to discuss the promotion plan. A student who demonstrates sufficient progress with the strategies included in his or her promotion plan during the school year shall be promoted to the next grade level and shall be enrolled in a summer reading or learning program, if available.

The school's policy shall include procedures governing how decisions on retention will be made after the student begins work on his/her individualized promotion plan. Each authorized charter school shall notify parents and/or legal guardians of all students in grades three (3) and four (4) of the promotion and retention requirements at the beginning of each school year, or upon enrollment for students enrolling after the beginning of the school year.²

If a student has not demonstrated sufficient progress on his or her promotion plan by the end of the school year to be promoted to the next grade level, the student shall be enrolled in a summer reading or learning program, if available. If a student is enrolled in a summer program, a decision for retention may be made after completion of a summer program but shall be made and communicated to the student's parent or guardian at least ten (10) days prior to the start of the next school year. If a student is not enrolled in a summer program, a decision for retention shall be made and communicated to the student's parent or guardian at least thirty (30) days prior to the start of the next school year. Parents and guardians shall also be notified of their right to appeal a retention decision pursuant to the school's policy.

K – 3 Reading Notification

If it is determined through a student's overall performance or a state or local assessment that a student in grades kindergarten through three (K-3) is not meeting grade-level standards in reading, the student's parent(s)/guardians(s) shall be notified within fifteen (15) calendar days of such determination.

A student shall not be retained under this policy due to limited English proficiency or due to an identified disability that impacts reading or a suspected disability that impacts literacy development.

Third Grade Promotion Based on a Performance Level of "Approaching" on the ELA portion of the TCAP Test.

Any third-grade student of an authorized charter school 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" (otherwise known as "met expectations" or "exceeded expectations") on the ELA of the student's most recent Tennessee comprehensive assessment program (TCAP) test.³

- (1) The parent and/or legal guardian who is identified retention pursuant to this paragraph may appeal directly to the Department of Education. Information regarding the appeals process and timelines shall be posted on the Department's website.⁴ A parent and/or legal guardian may provide written consent on a form provided by the Department to public charter schools, for a school principal, guidance counselor, teacher, or other administrator of the student's school to file an appeal on behalf of the parent and/or legal guardian.
- (2) The authorized charter school shall fully inform the parent and/or legal guardian of the student's pathways to fourth (4th) grade promotion prior to the parent and/or legal guardian signing the consent form.

- a. Signed consent forms shall be collected by the authorized charter school either electronically or on paper and shall be maintained for monitoring purposes by the authorized charter school.

Any third-grade student of an authorized charter school who is not proficient in ELA, as determined by the student's achieving a performance level of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted via one of the following pathways:

- (1) Pathway 1: The student is an English language learner and has received less than two (2) years of ELA ; or
- (2) Pathway 2: The student was previously retained in any grade kindergarten through three (K-3); or
- (3) Pathway 3: The student is retested in accordance with Department guidelines before beginning the next school year and scores proficient in ELA; or
- (4) Pathway 4: The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and the performance on the post-test administered at the end of the learning loss bridge camp demonstrates adequate growth, as determined by the Department of Education; or
- (5) The student is assigned a high-dosage, low-ratio tutor, as defined in TRR/MS 0520-01-03-.16(7) through the Tennessee accelerating literacy and learning corps (TN All Corps) for the entirety of the upcoming school year; or
- (6) The student demonstrates proficiency in ELA standards based on scoring within the fiftieth percentile on the most recently administered state-provided benchmark assessment, if administered in a test environment and the public charter school agrees to provide tutoring services to the students for the entirety of the student's fourth grade year based on requirements established by the Department of Education.
 - a. Promotion to the fourth grade pursuant to this option may occur after the student's parent and/or guardian is notified in writing of the benefits of enrolling the student in the learning loss bridge camp and encouraged the parent or guardian to do so.
 - b. "State-provided benchmark assessment" for purposes of this option means the Tennessee Universal Reading Screener provided by the Department of Education.
 - c. The tutoring services provided pursuant to this option must be high-dosage, low ration tutoring, as defined in TRR/MS 0520-01-03-.16(7).

All authorized public charter schools shall provide the parent and/or guardian of a third-grade student who is not proficient in ELA, as determined by achieving a performance level of "approaching" on the ELA portion of the student's most recent TCAP test written notification of the appeal process established by the State Board of Education.⁵

Promotion Based on a Performance Level of "Below" on the ELA portion of the TCAP Test.

Any third-grade student of an authorized charter school who is not proficient in ELA, as determined by the student's achieving a performance level of "below" on the ELA portion of the student's most recent TCAP test may be promoted via one 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 ; or

- (2) Pathway 2: The student was previously retained in any grade kindergarten through three (K-3); or
- (3) Pathway 3: The student is retested in accordance with Department guidelines before beginning the next school year and scores proficient in ELA; or
- (4) Pathway 4: The student attends a learning loss bridge camp before the beginning of the upcoming school year, maintains a ninety percent (90%) attendance rate at the camp, and receives high-dosage, low ratio tutoring for the entirety of the upcoming school year from a Tennessee accelerating literacy and learning corps (TN ALL Corps) tutor, as defined by TRR/MS 0520-01-03-.16(7)(b).

A student who is promoted to the fourth grade via Approaching Pathway 5 or Below Pathway 4 must show adequate growth on the fourth (4th) grade ELA portion of the TCAP test, as defined in State Board of Education Policy 3.300, before the student may be promoted to the fifth (5th) grade.⁶ A student shall not be retained in the fourth (4th) grade more than once.⁷

Retention.⁸ For schools serving students in grades kindergarten through eight (K-8):

A student may be retained when, in the judgment of the student's teacher and/or the student's IEP team, such retention is in the best interest of the student. However, a student shall not be retained more than once in any grade and retention shall not be used without an academic remediation plan with strategies and enhancements different from the previous year or used as a punitive or disciplinary measure or based solely on a student's social and emotional maturity. Additionally, retention of English Learner (EL) students shall not be based solely on English language proficiency and shall be in compliance with Policy 4207 – English Learners.⁹

If a student is retained, the school leader or his/her designee shall develop an individualized academic remediation plan prior to the start of the next school year. A copy of the plan shall be provided to the student's parent/guardian within ten (10) days of its development. This plan shall include at least one (1) of the following strategies:

- (1) Adjustment to the current instructional strategies or materials;
- (2) Additional instructional time;
- (3) Individual tutoring outside of school hours;
- (4) Modification to the student's classroom assignment to ensure the student receives instruction from a highly effective teacher; or
- (5) Attendance or truancy interventions.

The school's policy shall include procedures to ensure appropriate record keeping and proper monitoring of students who are retained, including reporting progress to parents at least three (3) times during the school year of retention.

Each authorized public charter school shall report via the reporting calendar:

- (1) The number of students identified for mandatory third grade retention but were promoted pursuant to T.C.A. § 49-6-3115(a)(2)(A)(vi);
- (2) The provider, format, and frequency of tutoring services provided to students in the fourth grade who were promoted pursuant to T.C.A. § 49-6-3115(a)(2)(A)(vi);

- (3) The percentage of students promoted pursuant to T.C.A. § 49-6-3115(a)(2)(A)(vi) that demonstrated growth or proficiency in ELA after receiving tutoring services in the fourth grade;
- (4) The number of students promoted pursuant to T.C.A. § 49-6-3115(a)(2)(A)(vi) that enrolled in a learning loss bridge camp; and
- (5) The percentage of students promoted pursuant to T.C.A. § 49-6-3115(a)(2)(A)(vi) and enrolled in a learning loss bridge camp, that demonstrated growth or proficiency in ELA at the conclusion of the camp.¹⁰

Grading. Each school shall adopt a grading policy in accordance with state laws and policies. For the purposes of application for postsecondary financial assistance administered by the Tennessee Student Assistance Corporation, schools shall report the grades for students in grades nine through twelve (9-12) using the uniform grading system contained in State Board Policy 3.301. Schools electing to offer honors courses and early postsecondary opportunities shall provide for additional weighting for these courses, as outlined in the uniform grading system. These policies shall be communicated annually to students and parents.¹¹

Weighting State Assessment Scores.¹² TNReady and EOC scores shall be included in students' final grades as follows:

- (1) The school shall determine the percentage of a student's final grade that is comprised of the student's scores on TNReady or EOC assessments as follows:
 - a. Grades three through five (3-5): A student's score on TNReady or EOC assessments shall comprise no less than zero percent (0%) and no more than twenty-five percent (25%) of the student's final grade in mathematics, English language arts, science, and social studies. Each year, the school shall notify the Commission of the percentage for which the state assessment shall count toward a student's final grade via the reporting calendar.
 - b. Grades six through eight (6-8): A student's score on TNReady or EOC assessments shall comprise no less than ten percent (10%) and no more than twenty-five percent (25%) of the student's final grade in mathematics, English language arts, science, and social studies. Each year, the school shall notify the Commission of the percentage for which the state assessment shall count toward a student's final grade via the reporting calendar.
 - c. Grades nine through twelve (9-12): A student's score on TNReady or EOC assessments shall comprise no less than ~~fifteen~~five percent (~~15~~) and no more than ~~twenty-five~~fifteen percent (~~25~~) of the student's final grade. Each year, the school shall notify the Commission of the percentage for which the state assessment shall count toward a student's final grade via the reporting calendar.¹³

If state assessment results are not received by the Commission at least five (5) instructional days before the end of the course, the school may choose not to include the state assessment score in the student's final grade calculation.

Each school shall adopt a policy that outlines the methodology for including EOC/TNReady scores in a student's final grade calculation and submit that policy to the Commission annually.

Testing Information and Parental Consent.¹⁴ No later than July 31st of each year, the Commission and each school shall publish on their website information related to state and district mandated tests that will be administered during the school year. Each school shall report this information to the Commission no later than April 15th of each year. The information shall include:

- (1) The name of the test;
- (2) The purpose and use of the test;
- (3) The grade or class in which the test will be administered;
- (4) The tentative date or dates that the test will be administered;
- (5) The time and manner in which parents and students will be notified of the results of the test;
- (6) How parents can access the questions and answers on their student’s state-required tests;
and
- (7) If a board mandated test, how the test complements and enhances student instruction and learning and how it serves a purpose distinct from state-required tests.

Testing information shall also be placed in student handbooks or other school publications that are provided to parents on an annual basis.

Legal References:

¹ State Board Policy 3.300

² TRR/MS 0520-01-03-.16(7).

³ T.C.A. § 49-6-3115

⁴ TRR/MS 0520-01-03-.16(7)(f)

⁵ T.C.A. § 49-6-3115(d)(1).

⁶ TRR/MS 0520-01-03-.16(7)(c).

⁷ TRR/MS 0520-01-03-.16(7)(d)

⁸ State Board Policy 3.300

⁹ TDOE Retention Guidelines for English Learner Students, August 2023

¹⁰ T.C.A. § 49-6-3115(e).

¹¹ TRR/MS 0520-01-03-.05(3)(b);

TRR/MS 0520-01-03-.05(3)(c);

State Board Policy 3.301

¹² T.C.A. § 49-1-617; TRR/MS 0520-01-03-.06(1)(c)(2)

¹³ TRR/MS 0520-01-03-.03(10)(d)

¹⁴ T.C.A. § 49-6-6007; State Board Policy 2.103

Cross References:

Attendance 6200

Credit Recovery 4210