

Third Grade Promotion: Parent Appeals Guide

In 2021, the Tennessee General Assembly passed revisions to T.C.A. § 49-6-3115, the state's 3rd grade retention and promotion law which ensures students who need additional supports can receive them before promotion to 4th grade. The State Board of Education (SBE) promulgated rules to establish an appeals process for students who have been identified for retention in third grade.

Who can file an appeal?

- The parent or guardian can file an appeal for their student.
- The parent or guardian of the student can also sign a form giving consent to a school district or charter school representative to fill out the appeal for their student on their behalf. The Appeal Consent Form can be found on the [Learning Acceleration](#) webpage.

When can I file an appeal?

- The appeals window is open from May 28 – June 28, 2024. All appeals must be submitted during the window for consideration.

Who is eligible for an appeal?

- Students who scored “approaching expectations” on their ELA TCAP or ELA TCAP retake.
 - What if my student scored “meets expectations” or “exceeds expectations” on their ELA TCAP or ELA TCAP retake?
 - They are not at risk of retention, so an appeal is not necessary.
 - What if my student scored “below expectations”?
 - Only students who score “approaching expectations” are eligible for an appeal under the law. Visit the [Learning Acceleration](#) webpage for available pathways to fourth grade and reach out to your student’s principal.

What are the requirements for an appeal approval?

Parents or designated district representatives can file an appeal on one of two grounds:

Ground 1:

A ground 1 appeal consists of 4 criteria that must be met.

1. Student scores at or above the 40th percentile on an SBE approved universal reading screener (URS).
2. The principal of the school agrees to develop an academic remediation plan for the student.
3. The student’s ELA teacher and principal provide a unanimous recommendation for promotion.
4. The student’s school district or charter school agree to provide high-dosage low-ratio tutoring services for the student’s entire fourth grade school year.

Ground 2:

A ground 2 appeal states that a catastrophic situation occurred on or within 60 calendar days prior to the TCAP assessment that impacted the student's ability to demonstrate current knowledge on the test.

Examples of a catastrophic situation include, but are not limited to:

- Death in the immediate family
- Loss of home
- Significant medical diagnosis

What information do I need to submit an appeal?

- **Student Information:** Legal name and date of birth
- **Parent or Designated School District or Charter School Representative Information:** Name, email and phone number
- **Student State ID:** A 7-digit number that can be obtained from your student's school. An inaccurate SSID can delay the speed of the review.
- **Ground 1:** A completed Ground 1 Appeal Recommendation Form (found on the [Learning Acceleration](#) webpage) with all required signatures from your student's principal and ELA teacher completed. You will be required to upload a copy of the form when submitting the appeal.
- **Ground 2:** A description of the catastrophic event that includes dates and information explaining how the event occurring on or within 60 calendar days prior to the TCAP assessment impacted the student's ability to demonstrate current knowledge on the test.

How do appeals work?

Parents or designated school district or charter school representatives will fill out the 3rd Grade Retention Appeals Form on the [Learning Acceleration](#) webpage and pursue an appeal on one of two grounds. The appeal will be evaluated by the department and a decision will be provided within 14 days following submission provided all information is complete and accurate.