

Required Tutoring for 2023-24

In 2021, the Tennessee General Assembly updated state law to ensure all students have the support they need to become strong readers and to perform on grade level. Beginning in the 2023-24 school year, all districts and public charter schools in Tennessee must provide tutoring supports for students who were promoted to 4th grade through a tutoring promotion pathway and for any students who were retained in grades Kindergarten through 3rd grade. See T.C.A. § 49-6-3115(f)(1).

Students to be Served

4th Grade Promotion Pathway

T.C.A. § 49-6-3115 outlines the pathways that a 3rd grade student can be promoted if the student scores at the “approaching” level or at the “below” level on the ELA section of the 3rd grade TCAP. More information on the pathways to 4th grade can be found [here](#). Students who are promoted to 4th grade through a tutoring pathway must receive ELA tutoring for the entirety of 4th grade **and show adequate growth on the 4th grade ELA portion of the TCAP in order to be promoted to fifth grade.**

Kindergarten – Grade 3 Retained Students

During the 2023 Legislative Session, the Tennessee General Assembly passed Chapter 338 of the Public Acts of 2023, codified at T.C.A. § 49-6-3115, requiring that tutoring be provided to students who were retained in any grades K – 3 for the 2022-23 school year for the entirety of the school year.

As a best practice, districts should evaluate student needs and provide tutoring in addition to any other supports in which students may qualify.

Tutoring Requirements for High-Dosage, Low-Ratio Tutoring

Tennessee’s high-dosage, low-ratio tutoring model is based on proven best practices for accelerating students to grade level. Tutoring uses a learning acceleration approach to provide just-in-time instruction, build background knowledge, pre-load knowledge, and ensure students are successful at accessing Tier I instruction.

Districts must develop and implement high-dosage, low-ratio tutoring programs that meet the following minimum requirements for students who are required to be assigned a tutor. TN ALL Corps districts are to continue to implement approved programming, as it already meets the minimum requirements outlined in this document.

Minimum Requirements:

Subject	Tutoring must be provided in ELA content and support students in meeting grade-level standards.
Staffing	Tutors may include certified teachers, retired educators, paraprofessionals, teacher candidates, tutors, and volunteers. Staff must be adequately trained. Certified tutors must complete the TN ALL Corps Licensed Educator training and non-certified tutors must complete the TN All Corp Training for Aspiring and Alternative Educators as required by the Tennessee Learning Loss Remediation and Student Acceleration Act.
Group Size	No more than 3 students per tutor in grades K-4 for students who were retained in grades K-3 or were promoted to grade 4 through a tutoring pathway.
Frequency	Two to three sessions per week with sessions lasting 30 - 45 minutes per session.
Durations	Tutoring must be provided for at least 12 weeks each semester for the entire year.
Format	Tutors deliver in-person, synchronous instruction as best practice. However, online delivery options can be used if other minimum requirements are met, and no in-person tutors are available.
Program Delivery	Tutoring may be provided during the school day, outside the school day, or through a combination.
Progress Monitoring	Use of monthly progress monitoring aligned to district-adopted materials and ongoing, informal assessments to target instruction.
Materials	Tier I-aligned high-quality materials aligned with classroom content should be used to reinforce classroom instruction.
Attendance	Attendance and make-up days are at the discretion of the LEA. A 90% attendance rate is recommended. Attendance must be documented for reporting purposes.

RTI² and Tutoring for ELA

Districts are to examine student data and place students into interventions that would best meet the needs of each individual student. District should use a variety of data points, including TCAP and universal reading screening data, to determine the best intervention pathway for students.

RTI² Tier II and Tier III may be used as tutoring as a promotion pathway as long as minimum tutoring requirements are met in addition to the Tier II or Tier III requirements. Although intensive skill interventions may be required to address deficits, opportunities to access Tier I instruction should also be provided.

A student may transition from tutoring to an RTI² model during the school year in order to ensure the student receives the most appropriate support. If a student is receiving tutoring as a promotion pathway and qualifies for RTI², the student must be served in a model that meets the minimum requirements of both RTI² and tutoring.

Special Education and Tutoring

The guidance in this section pertains to students who are retained in grades K - 3 or promoted to 4th grade with tutoring as a promotion pathway, and then later meet special education eligibility

requirements. These students will receive tutoring based on the requirements established by the department **unless** the student's IEP team determines that tutoring does not meet the needs of the student. Upon eligibility, the student's IEP team should convene to determine the need for specialized instruction and other appropriate supports. Refer to State Board Rule 0520-01-03-.16 [here](#). This rule does not supersede an LEA's or public charter school's obligation to comply with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.), and Section 504 of the Rehabilitation Act (29 U.S.C. § 794).

As a reminder, according to T.C.A. § 49-6-3115, an LEA or public charter school shall not retain a student with a disability or a suspected disability that impacts their ability to read.

Math Interventions and Tutoring

For students receiving RTI² math interventions or math special education support, the LEA or public charter must also adhere to the tutoring requirements for ELA. The student should be scheduled to receive tutoring for ELA, in addition to RTI² or special education supports for math. For example, a district may schedule a student to receive RTI² math support during the school day and receive ELA tutoring after school. Nothing in this section prevents the IEP team or 504 team from making decisions deemed most appropriate for students receiving special education services.

Demonstrating Adequate Growth

Students receiving tutoring as a grade 4 promotion pathway must show adequate growth on the 4th grade ELA portion of the TCAP in order to be promoted to grade 5. The State Board of Education will approve measures for adequate growth at an upcoming State Board meeting. As best practice, regular classroom instruction and high-dosage, low-ratio tutoring programs should always be designed to maximize student growth over the school year.

Online Options for Tutoring

Districts are strongly urged to provide high-dosage, low-ratio tutoring in-person for students required to be assigned a tutor due to retention or as a promotion pathway. However, online options can be utilized when in-person tutors are not available and other minimum requirements for tutoring are met. The Department of Education is working on a competitive procurement for online tutoring options that will be at no cost to students. Additional updates are forthcoming as the contracting process progresses.

Tools for Implementation

The department has a number of tools and resources available on the TN ALL Corps website [here](#) and RTI² website [here](#).

Attendance Tracking

LEAs and public charter schools participating in the TN All Corps tutoring grant will continue with the same procedure used in previous years to enroll students into tutoring and to capture attendance. Additional course codes will be issued to track participation for students required to receive tutoring

in LEAs or public charter schools that do not participate in the TN ALL Corps grant. Details for enrolling students in the designated course codes will be sent to districts and public charters in an upcoming guidance document. Districts will determine procedures for makeup sessions due to excessive absences or other reasons that tutoring may not meet minimum requirements.