

## FAQ: State of Tennessee 3rd Grade Retention Law

### Tennessee Retention Law

- **What is the TN Literacy Success Act and the TN Learning Loss Remediation and Student Acceleration Act?**

The Tennessee General Assembly passed two key pieces of legislation during the 1st Extraordinary Session of 2021—the Tennessee Literacy Success Act and the Tennessee Learning Loss Remediation and Student Acceleration Act—to help ensure Tennessee students could recover from the challenges of the COVID-19 pandemic and close gaps in students’ learning. As part of this legislation, the General Assembly revised the state’s law regarding the promotion of students from 3rd grade, T.C.A. § 49-6-3115. The statute was also revised during the regular 2021 legislative session. T.C.A. § 49-6-3115, which becomes effective in the 2022-23 school year, ensures students who are determined to need additional support in reading, receive them before being promoted to 4th grade.

- **What does the new legislation have to do with retention?**

Starting with the 2022-23 school year, the TN Learning Loss Remediation and Student Acceleration Act requires 3rd grade students who are not proficient in the literacy portion of the TCAP to either be retained in the 3rd grade or receive additional instruction in literacy to be promoted to the 4th grade.

- **What does it mean for my child to be retained?**

A student who is retained means the student will repeat a grade-level.

- **What does this mean for 3rd-grade students scoring "Approaching Expectations" or "Below Expectations"?**

Any student scoring "Approaching Expectations" or "Below Expectations" must complete a pathway to promotion, participate in retention, **OR** qualify for an exemption.

- **Are there any exceptions to this law?**

- Students with a disability or suspected disability that affects their ability to read.
- Students that have already been retained in any grade K-3.
- Students who are English learners receiving less than 2 years of English instruction.
- Students who score on-grade level on the retake test.
- Students who score above the 50th percentile on approved benchmark assessment and agree to tutoring in the 4th grade.
- Approved appeals to the TN Department of Education.

- **How can my child be promoted to 4th grade if they receive “Approaching Expectations” or “Below Expectations”?**

Students who score “Approaching Expectations” will be promoted to 4th grade if they attend Reading Expedition (summer camp) 90% of the time (**18 of the 20 days** from June 5-June 30)

and make adequate growth, receive literacy tutoring for the entirety of their 4th grade year, **OR** score 50th percentile or higher on state approved benchmark assessment and receive literacy tutoring for the entirety of their 4th grade year.

Students who score “Below Expectations” on the literacy portion of the 3rd grade TCAP must attend Reading Expedition (summer camp) 90% of the time (18 of the 20 days from June 5-June 30), make adequate growth **AND** receive literacy tutoring for the entirety of their 4th grade year.

- **Are there any additional requirements if my child scores "Below Expectations?"**  
In addition to attending Reading Expedition (summer camp), students that are below expectations must commit to literacy tutoring twice a week for the entirety of the 2023-2024 school year.
- **What is the process to appeal your child’s retention?**  
This will be done through the Tennessee Department of Education (TDOE). Families may use the form below between May 30-June 30, 2023 to appeal the decision for their child to be retained.

[Tennessee Retention Appeals Form](#)

### **Tennessee Comprehensive Assessment Program (TCAP)**

- **What is TCAP?**  
The Tennessee Comprehensive Assessment Program (TCAP) is designed to assess true student understanding, not just basic memorization and test-taking skills. It is a way to assess what our students know and what we can do to help them succeed in the future.
- **When does my child take TCAP?**  
Grades 2-4: April 17 through April 21, 2023
- **When will I know my child’s score on TCAP?**  
A quick score is provided to the district for use in final grades. At this time, we do not know the exact date that scores will be returned, but we expect it to be before the school year ends. We will update this FAQ when we have more information. Individual student reports are received in mid-to-late July.
- **Can my child retake the TCAP?**  
TDOE will hold a retake window for the 3rd grade TCAP from May 30-June 9th. The two days offered in Marion County will be May 30th and May 31st.
- **When will I be notified that my student is not on track?**  
You received notification from your child’s school if your child scored below the 40th percentile on aimswebPlus Winter Benchmark. This notification was sent out prior to March 10th.

## **Reading Expedition**

- **What is Reading Expedition?**  
Reading Expedition: Quest for Success is our reading summer camp provided at all elementary and middle schools during the month of June 2023. During this time, students will be provided intense reading instruction.
- **When is Reading Expedition?**  
June 5 - June 30, 2023 (20 days total)
- **What time will the Reading Expedition be held?**  
Elementary School: 8am - 2pm
- **What if my 3rd grader cannot attend the Reading Expedition?**  
The state requirement for promotion to 4th grade for students who are not proficient on the 3rd grade TCAP is to attend summer programming for at least 90% of the time (18 of 20 days). If your child does not score proficient on the retake and an appeal is not granted, your child will be retained in 3rd grade for the next school year.
- **What if I need to sign my child out early from school, will they be counted absent for the day?**  
An absence is recorded whenever a child misses more than one-half day of school. For Summer Programming, a student is marked absent when they miss three hours or more.
- **Where can we learn more about Reading Expedition?**  
More information will be communicated at the individual school level regarding our summer camp program - Reading Expedition.

## **4th Grade Promotion**

- **Which students will be required to attend literacy tutoring in 4th grade?**  
Any student that is “Below Expectations” in literacy on the 3rd grade TCAP will be required to have literacy tutoring for the entirety of the 4th grade.
- **Will our family be required to pay for tutoring?**  
No, tutoring will be provided free of charge through Marion County Schools and our community partners.
- **How often will tutoring be required for 4th graders that were “Below Expectations” on the 3rd grade TCAP?**  
Tutoring in literacy will be a minimum of two times a week for 30 minutes.
- **If my child is “Below Expectations” or “Approaching” in the 3rd grade, but promoted to 4th grade after attending Reading Expedition, will they be at risk of being retained again in the 4th grade?**

Right now, the Tennessee Department of Education (TDOE) says that students who score “Below Expectations” or “Approaching” on TCAP in the 3rd grade must show “**adequate progress**” when they take the 4th grade TCAP.

## **Family Resources**

- **What can I do to help support my child with literacy?**

Families can find resources on the following websites:

[Best for All Central Family Reading Resources](#)

[Best for All Central Tennessee Comprehensive Assessment Program Family Resources](#)

[Governor’s Early Literacy Foundation K-3 Reading Time at Home Guides](#)

- **What if our family does not have adequate access to the internet?**

Families can contact any school in Marion County and ask for assistance gaining access to those resources. Families can also utilize the public libraries located in Monteagle, South Pittsburg, Jasper, and Whitwell.

- **Where can I find the TDOE information regarding 3rd Grade Retention?**

[Legislative Overview \(English\)](#)

[Legislative Overview \(Spanish\)](#)

[Third Grade Promotion FAQs \(English\)](#)

[Third Grade Promotion FAQs \(Spanish\)](#)