

FAQ: State of Tennessee 3rd Grade Retention Law

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Tennessee Retention Law

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

The TN Learning Loss Remediation and Student Acceleration Act and TN Literacy Success Act require school districts to identify K-3 learners not meeting reading expectations on TCAP assessments. These students must be provided specific supports, parental notification, and considered for retention in 3rd grade. Both of these were passed in January of 2021.

- **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 any 3rd grade student that is not proficient in the literacy portion of the TCAP to repeat 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?**

Retention means that a student will repeat a grade-level. Oftentimes, you will hear the term “held back” instead of “retention” or “being retained.”

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

Any student scoring "Approaching Expectations" or "Below Expectations" must attend Summer Reach during the 2023 Summer in order to be eligible for promotion to 4th grade for the 2023-2024 School Year.

- **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 Summer Reach 90% of the time (18 of the 20 days from June 5-June 30).

Students who score “Below Expectations” on the literacy portion of the 3rd grade TCAP must attend Summer Reach 90% of the time (18 of the 20 days from June 5-June 30) 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 Summer Reach, students that are below expectations must commit to literacy tutoring twice a week for the entirety of the 2023-2024 school year.
- **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.
 - English Language Learners receiving less than 2 years of English instruction.
 - Approved appeals to the TN Department of Education.
- **What is the process to appeal your child's retention?**
This will be done through the Tennessee Department of Education (TDOE). The state will establish an appeal process, to be administered by the department, for a student who is identified for retention in third grade based on achieving a performance level rating of "approaching" on the English Language Arts (ELA) portion of the student's most recent TCAP test.

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 3-5: April 17 through May 2, 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 9.
- **When will I be notified that my student is not on track?**
No later than February 1, 2023.

Miscellaneous

- **What can I do to help support my child with literacy?**
Parents can find literacy activities at www.hcde.org/literacy
- **If my child is retained, will they have the same teacher next year?**
This will depend on the scheduling done at your child's school.

Summer Reach

- **When is Summer Reach?**

June 5 - June 30, 2023 (20 days total)

- **What time will Summer Reach be held?**

Elementary School: 8am - 2pm

Middle School: 9am - 1pm

High School: 9am - 12pm

- **What if my 3rd grader cannot attend Summer Reach?**

The state requirement for promotion to 4th grade for students who are not proficient on the 3rd grade TCAP is to attend Summer Reach for at least 90% of the time (18 of 20 days).

- **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 Summer Reach?**

Please visit the Hamilton County School's Summer Reach website [here](#).

4th Grade Literacy Tutoring

- **Which students will be required to attend literacy tutoring?**

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 to be able to be promoted to 4th grade.

- **Will our family be required to pay for tutoring?**

No, tutoring will be provided free of charge through Hamilton 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.