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2023 Legislative Session Retention Legislation Tracker

For our full recommendations, see Ed Trust TN's [The Cost of Retention Memo](#) (2022)

Last Updated: 5/10/23

Passed

Progressing (out of subcommittee or further)

Major Delay (e.g., sent to Summer Study, delayed to 2024)

No longer active (e.g., off notice, failed for a second to be heard, returned to clerk's desk)

Bill/Public Chapter <i>Check hyperlink for more details</i>	Description	Summary	Analysis
Public Chapter 338 SB0300/ HB0437 Sen. Lundberg (R) Rep. White (R)	Adds a benchmark pathway for students who score approaching on the 3rd-grade ELA TCAP; Allows school-based staff to file appeal on behalf of student;	<p>House Amendment 2 (6115) substituted:</p> <ul style="list-style-type: none"> ● Maintains provisions in House Amendment 1 (5325) and Senate Amendment 1 (SA0197). ● Revises and/or language ● Effective 7/1/23 <p>Senate Amendment 3 (SA0472) & 4 (SA0472) tabled</p> <p>Senate Amendment 2 (SA0456) passed:</p> <ul style="list-style-type: none"> ● Maintains provisions in House Amendment 2 (6115) to revise and/or language ● Maintains provisions in Senate Amendment 1 (SA0197) on: <ul style="list-style-type: none"> ○ Requirements to be promoted to 	<p>House Amendment 2 (6115) substituted:</p> <ul style="list-style-type: none"> ● See pages 1-3 for analysis on previous provisions under House Amendment 1 (5325) and Senate Amendment 1 (SA0197). <p>Senate Amendment 3 (SA0472) & 4 (SA0472) tabled</p> <p>Senate Amendment 2 (SA0456) passed:</p> <ul style="list-style-type: none"> ● See analysis under other respective amendments



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	<p>Online tutoring for retained K-3 students</p> <p><i>(Originally a caption bill)</i></p>	<p>4th-grade (i.e., 4th-grade tutoring and family notifications)</p> <ul style="list-style-type: none">○ TDOE data reporting for new benchmark assessment pathway <ul style="list-style-type: none">● Maintains provisions in House Amendment 1 (5325) on:<ul style="list-style-type: none">○ Allowing school-based staff to apply for appeal○ Assigning online tutors to retained K-3 students● Effective immediately, but new provisions (e.g., benchmark pathway, reporting requirements, and online tutoring) begin in the 2023-2024 school year <p>Senate Amendment 1 (SA0197) withdrawn:</p> <ul style="list-style-type: none">● Maintains provisions in House Amendment 1 (5323).● Adds requirements for students who score ‘approaching’ on the 3rd-grade ELA TCAP and score 50th percentile or above on a TDOE-created benchmark assessment can be promoted if:<ul style="list-style-type: none">○ LEA/public charter school (PCS) must agree to 4th-grade tutoring○ LEA/PCS must notify student’s parent or guardian of the benefits of summer camp and encourage them to enroll● Requires TDOE to report retention data by LEA	<p>Senate Amendment 1 (SA0197) withdrawn:</p> <ul style="list-style-type: none">● See pages 2-3 for analysis on previous provisions under House Amendment 1 (5325)● Parent/caregiver communication is an important step to support stakeholder transparency● Strong and timely data reporting supports a thorough review and evaluation of policy decisions. However, it is unclear why only the newest provision (students who score approaching on TCAP and 50th+ percentile on benchmark) will benefit from data reporting. We recommend extending data collection to all students identified for retention and all of the
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on various pathways for students who score approaching on TCAP and 50th+ percentile on benchmark

- Effective 7/1/23

House [Amendment 1 \(5323\)](#) passed:

- Creates an additional promotion pathway for students who score 50th percentile or above on a TDOE-created benchmark assessment for students who score **approaching** on the 3rd-grade ELA TCAP; In effect 7/1/23 if passed
- Allows school-based staff including, a principal, guidance counselor, teacher, or another administrator to file a student's appeal on the parent/guardian behalf if they get written consent; Still only applies to students who score **approaching** on the 3rd-grade ELA TCAP; In effect 7/1/23 if passed
- Starting in the 2023-2024 school year, retained K-3 students will be assigned a tutor the following school year; Allows TDOE to contract with online tutoring providers
- Effective 7/1/23

various pathways they may pursue

House [Amendment 1 \(5323\)](#) passed:

- Based on initial analysis, adding the benchmark assessment pathway will significantly reduce the number of student at risk of retention. TDOE & TNGA Fiscal Review Committee [projected that 9,000 Tennessee students will be retained in grades K-3](#).
- **Question for Consideration:** The amendment references a benchmark assessment. Does this refer to the state-adopted benchmark assessments used as pre and post-tests for summer camps from the [TN Learning Loss Remediation and Student Acceleration Act](#), The [TN Universal Reading Screener](#) and approved screeners that reference benchmarking, or something else?
- Allowing school-based staff to file an appeal could support parents/guardians who don't have the time or resources to complete an appeal. However, it may be more difficult for schools that have a large number of students who do not score proficient on the 3rd-grade ELA TCAP. Additionally, [appeals are most likely going to occur over the summer](#) when staff may not be compensated or available to file appeals.



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			<ul style="list-style-type: none"> Assigning retained K-3 students a tutor for the upcoming school year provides critical, differentiated support for students. However, it is unclear if the online tutoring services will be of the same quality as current in-person tutoring recommended by TN All Corps.
<p>Public Chapter 144 HB0068/SB0249 Rep. Lamberth (R) Sen. Johnson (R)</p>	<p>Revises priority student definition for intervention; Extends summer learning camp and after-school learning mini-camp interventions to annually</p>	<ul style="list-style-type: none"> Revises priority student definitions for interventions including after-school learning mini-camp and summer learning camp (not retention-based) and learning loss bridge camp (retention-based) <ul style="list-style-type: none"> For learning loss bridge camps: <ul style="list-style-type: none"> Removes specific 2021-2022 and 2022-2023 school year language Adds rising non-proficient 9th-graders on math or ELA TCAP or benchmark assessment Revises short-term summer learning camps and after-school learning mini-camps to continue annually beyond the 2021-22 school year If passed, goes into effect October 1, 2023 <p>Amendment 1 (3486):</p> <ul style="list-style-type: none"> Moves 10/1/23 implementation date to effective immediately if passed 	<ul style="list-style-type: none"> HB0068 supports students further by extending previous short-term intervention programs to annual programs. However, this legislation does not revise the current, mandatory, state-level retention law (TCA 49-6-3115: Promotion of students from third grade) for 3rd and 4th-grade students who do not score proficient on the ELA TCAP. October 1, 2023 enactment may prevent the interventions that would now be annual to not take place until Summer 2024 <p>Amendment 1 (3486):</p> <ul style="list-style-type: none"> Amendment hopefully allows summer camps to occur in 2023 to support greater number of students.
<p>HB0670/</p>	<p>Students</p>	<ul style="list-style-type: none"> Students must be 7 years old before August 15 	<ul style="list-style-type: none"> This legislation does not revise the current,



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<p>SB0712</p> <p>Rep. Cepicky (R)</p> <p>Sen. Hensley (R)</p>	<p>must be 7 years old before August 15 or test proficient on 1st-grade entry assessment; Requires TDOE to create an assessment and LEA/PCSs to administer it</p>	<p>or test proficient on 1st-grade entry assessment to enter 1st grade</p> <ul style="list-style-type: none"> Requires TDOE to create an assessment and LEA/PCSs to administer it <p>Amendment:</p> <ul style="list-style-type: none"> Under review 	<p>mandatory, state-level retention law (TCA 49-6-3115: Promotion of students from third grade) for 3rd and 4th-grade students who do not score proficient on the ELA TCAP.</p> <ul style="list-style-type: none"> Instead, it adds another retention gate at the end of kindergarten with a new assessment in addition to existing Tennessee universal screeners, other screeners, and TCAP. <p>Amendment:</p> <ul style="list-style-type: none"> Under review
<p>HB0456/SB1008</p> <p>Rep. Hakeem (D)</p> <p>Sen. Campbell (D)</p>	<p>Extends after-school mini camps and summer learning camps interventions to annually; Revises reporting requirements and adds LEAs/PCSs responsibility</p>	<ul style="list-style-type: none"> Extends after-school mini camps and summer learning camps interventions to annually Directs TDOE to: <ul style="list-style-type: none"> Provide instructional materials and strategies to LEA for intervention camps Ensure interventions are aligned to state standards and lead by licensed teachers Post annual report to their website and share with LEA/PCSs Develop guidance to support LEA/PCSs on how to determine if students who don't score proficient is due to a 	<ul style="list-style-type: none"> HB0456 supports students further by extending previous short-term intervention programs to annual programs and highlighting TDOE's and LEA/PCSs responsibilities in this important issue. However, this legislation does not substantially revise the current, mandatory, state-level retention law (TCA 49-6-3115: Promotion of students from third grade) for 3rd and 4th-grade students who do not score proficient on the ELA TCAP.



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	<p>; Directs TDOE to develop guidance to identify if students who don't score proficient, it is due to a disability or suspected disability.</p>	<p>disability or suspected disability.</p> <ul style="list-style-type: none"> ● Directs LEA/PCSs to: <ul style="list-style-type: none"> ○ Ensure interventions are standards-aligned ○ Review annual report and make changes as necessary to intervention camps 	
<p>SB1455/HB1364</p> <p>Sen. Nicely (R)</p> <p>Rep. Farmer (R)</p>	<p>To be determined</p>	<ul style="list-style-type: none"> ● Caption bill pending amendment 	<ul style="list-style-type: none"> ● To be determined
<p>HB0978/SB1213</p> <p>Rep. Terry (R)</p> <p>Sen. White</p>	<p>Allows parent/guardian to permit their student's principal, guidance</p>	<ul style="list-style-type: none"> ● Allows parent/guardian, based on their written consent, to permit their student's principal, guidance counselor, teacher, or another administrator to file appeal on their behalf for students who score "approaching" on the 3rd-grade ELA TCAP 	<ul style="list-style-type: none"> ● HB0978/ SB1213 could support parents/guardians who don't have the time or resources to complete an appeal. ● However, this legislation does not substantially revise the current, mandatory, state-level retention law (TCA 49-6-3115: Promotion of



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<p>(R)</p>	<p>counselor, teacher, or another administrator to file appeal on their behalf</p>		<p>students from third grade) for 3rd and 4th-grade students who do not score proficient on the ELA TCAP.</p>
<p>HB0270/SB12 17 Rep. Terry (R) Sen. White (R)</p>	<p>Exempts 3rd-grade students proficient on each TN universal reading screener; Allows LEA to appeal; Adds TDOE reporting requirement</p>	<ul style="list-style-type: none"> ● Adds an additional promotion pathway for students who score proficient on each TN universal reading screener (TURS). ● Adds LEA’s ability to appeal retention decision on behalf of the student ● Adds a requirement that TDOE shares K-3 proficiency levels for each screener with LEAs and PCSs. 	<ul style="list-style-type: none"> ● The legislation says that students need to score proficient on each TN universal screener. We recommend the law be revised to also include growth across the 3 screener testing periods. ● HB0270 supports local decision-making by allowing LEAs to appeal student retention decisions. However, it is unclear how that process will be managed or if districts have the capacity to do so, especially districts with large numbers of students at risk of retention. We recommend further clarity in legislation or TN SBE rulemaking to define this process. ● Also, it supports transparency by sharing proficiency levels with LEAs and PCSs who are important stakeholders in this process. ● However, this legislation maintains most of the current, mandatory, state-level retention law (TCA 49-6-3115: Promotion of students from third grade), including 4th-grade retention. ● Questions for Consideration: <ul style="list-style-type: none"> ○ The law specifically names the TN universal reading screener, which is



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			<p>created by the department through a vendor. Do students in a district that uses one of the other TN SBE-approved screeners and who score proficient still qualify for promotion?</p> <ul style="list-style-type: none">○ Are public charter schools (PCSs) allowed to appeal retention decisions?
<p>HB0107/SB1306 Rep. Travis (R) Sen. Bailey (R)</p>	<p>Devolves authority back to LEA; Maintains intervention supports; Removes TNSBE appeal</p>	<ul style="list-style-type: none">● Removes current mandatory state-level retention policy and directs LEAs and public charter schools (PCSs) to create their own 3rd-grade ELA retention policy; LEAs/PCSs have final decision-making authority over retention● Adds permissive language that LEAs/PCSs may recommend retention based on 3rd-grade ELA TCAP proficiency, but they can also use other measures like grades, standardized tests, and other academic indicators● LEAs/PCSs may exempt students from retention based on these factors:<ul style="list-style-type: none">○ ELLs with less than 2 years of instruction○ Previous retention in grades K-3○ Retesting○ Other factors● Maintains TALLC tutoring and summer camps as intervention options● Revises retention alternatives to be voluntary, but allows LEAs/PCSs to consider	<ul style="list-style-type: none">● HB0107 supports local decision-making by allowing LEAs/PCSs to set their own retention policy, consistent with the previous practice.● Additionally, it supports student acceleration by maintaining the various intervention options created under the original law.● Currently, ELs who have less than two years of ELA instruction are considered for exemption, but the legislation is designed to capture gaps in reading, not general English proficiency. If students are not yet proficient in English, they are unlikely to score proficient on the ELA TCAP, and, therefore, should not be penalized. We recommend revising the language to include all English learners levels 1-4.● Allowing parent/guardian failure or refusal to participate in interventions to inform retention decisions does not account for family circumstances outside of a student or family's control, including but not limited to economic circumstances or work schedules. We



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		<p>parent/guardian failure or refusal to participate in interventions as grounds when making final retention decisions; However, that cannot be the only reason</p> <ul style="list-style-type: none">● Adds parent/guardian notification (currently not in retention law, but in Literacy Success Act)● Removes TN SBE appeal rulemaking● Delays until the 2023-2024 school year	<p>recommend removing this portion from the legislation.</p> <ul style="list-style-type: none">● Removing TN SBE rulemaking prevents families with extraordinary life circumstances (e.g., serious illness, death) from appealing their student’s retention decision. We recommend revising the language to either continue the current TN SBE rules or create a provision in which LEAs/PCs will create an appeal as part of their policy.● Delaying implementation allows students, families, and other stakeholders time to understand and implement changes
<p>HB0093/SB1368 Rep. Hawk (R) Sen. Southerland (R)</p>	<p>Shifts authority to LEA instead of TDOE on adequate growth definitions</p>	<ul style="list-style-type: none">● Directs LEAs instead of TDOE to determine adequate growth on learning loss bridge camp post-test for students who scored “approaching” on the 3rd-grade ELA TCAP to avoid repeating 3rd-grade● Directs LEA instead of TDOE to determine adequate growth on 4th-grade ELA TCAP to avoid repeating 4th-grade	<ul style="list-style-type: none">● HB0093 shifts the ultimate retention decision-making to the LEA if the student attends the learning loss bridge camp and for 4th-grade students who complete required interventions.● However, the legislation still maintains the overall framework of the current, mandatory, state-level retention law.● Currently, it is unclear how TDOE will define adequate growth on the summer learning loss bridge camp on the post-test or 4th-grade promotion based on the 4th-grade ELA TCAP.● This legislation helps answer this question by shifting authority to define adequate growth from TDOE to LEAs. However, this will likely lead to different definitions across LEAs,



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			decreasing transparency for stakeholders and advocates.
SB0412/HB1035 Sen. Yarbro (D) Rep. Shaw (D)	Rewrites retention code (TCA 49-6-3115); Authorizes ELA teachers and principals to retain 3rd and 4th-grade students based on TCAP, state-adopted benchmark assessments, or grades; Parent/guardian notification requirements	<ul style="list-style-type: none">● Rewrites retention code (TCA 49-6-3115)● Authorizes ELA teacher or principal to retain 3rd and 4th-grade students based on scoring approaching or below on the ELA TCAP, state-adopted benchmark assessments, or grades● ELA teacher or principal must notify parent/guardian by 3/1● Maintains learning loss bridge camp and TN accelerating literacy and learning corps (TALLC) to avoid retention, but allows students to participate in either regardless of score● In alignment with the existing law TN SBE rule, SB0412 states ELs who have less than two years of ELA instruction are considered for exemption.● In alignment with the existing law TN SBE rule, SB0412 states that LEAs and public charter schools shall not retain a student based on the student's disability or suspected disability that impacts their ability to read.● Extends appeal to both approaching and below students● Delays implementation until 2023-2024 school year	<ul style="list-style-type: none">● SB0412 supports local decision-making by allowing ELA teachers and principals to recommend students for retention.● ELA teachers and school principals are responsible for notifying families. We recommend the law be revised or TNSBE rule include district support to teacher and principal's capacity to fulfill this important responsibility.● The original law was designed to capture gaps in reading, not general English proficiency. If students are not yet proficient in English, they are unlikely to score proficient on the ELA TCAP, and therefore, should not be penalized. We recommend revising the language to include all English learners levels 1-4.● It is unclear how suspected disability will be determined. The law and/or TN SBE rule should be revised to require that for students with IEPs, an IEP team meeting be held to determine whether a student's reading proficiency is a manifestation of their disability. If the failure to achieve proficiency is a manifestation of their disability, a student shall not be retained.



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			<ul style="list-style-type: none"> • Delaying implementation allows students, families, and other stakeholders time to understand and implement changes
<p>SB0444/ HB0534</p> <p>Sen. Lowe (R)</p> <p>Rep. Cochran (R)</p>	<p>Adds additional pathway for students promoted to 4th-grade based on interventions to be promoted to 5th-grade if parent/guardian and LEA/PCS agree student demonstrated adequate growth on grade and assessments</p>	<ul style="list-style-type: none"> • Allows students who don't score proficient on 3rd-grade ELA TCAP but attend tutoring during 4th-grade to be promoted to 5th-grade if the student's parent/guardian mutually agrees with the LEA/PCS that student demonstrated adequate growth in ELA based on the student's grades or performance assessments 	<ul style="list-style-type: none"> • SB0412 supports local decision-making by allowing LEA and families to determine student retention. • We recommend the legislation or TN SBE rule clarify how and when LEA/PCSs and families will discuss and decide a student's retention. • Overall, the legislation still maintains the overall framework of the current, mandatory, state-level retention law. • Question for Consideration: What happens if LEA/PCSs and families do not agree on the retention decision?
<p>HB0848/SB0951</p> <p>Rep. Haston (R)</p>	<p>Adds multiple retention exemptions for "approaching</p>	<ul style="list-style-type: none"> • Add multiple retention exemptions for students who score "approaching" and "below" on the ELA TCAP (second lowest and lowest scoring categories; both are not proficient according to TDOE): 	<ul style="list-style-type: none"> • HB0848/SB0951 likely reduces the number of students at-risk of retention by adding additional pathways to demonstrate proficiency. • The legislation says that students need to score



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<p>Sen. Walley (R)</p>	<p>” and “below “students (e.g., other TCAPs, TURS, parent/school agreement); Allows LEAs to retain students K-2; Requires TDOE to share TCAP scores with districts by May 19 each year</p>	<ul style="list-style-type: none"> ○ Score proficient on at least 2 portions of 2 other subject TCAPs and agree to 4th-grade tutoring (“<u>approaching students only</u>”) ○ Score on the 40th percentile or better on most recent TN or other TN SBE-approved universal reading screener ○ Score on the 40th percentile or better on LEA standardized reading assessment and parent/guardian & principal & teachers agree to promote student ● Allows LEAs/PCSs to retain students in grades K-2 based on grades and each universal reading screener ● Requires TDOE to share TCAP scores with districts by May 19 each year 	<p>on the 40th percentile or better on the student’s most recent universal reading screener. We recommend the law be revised to also include growth across the 3 screener testing periods.</p> <ul style="list-style-type: none"> ● HB0848 supports local decision-making by allowing LEA/PCSs to work directly with families to determine retention decision and collecting other data. ● Allowing LEA/PCSs to retain in grades K-2 is already permissible under TN SBE rule. ● Strong and timely data collection supports stakeholder transparency and communication. ● Question for Consideration: What happens if LEA/PCSs and families do not agree on the retention decision?
<p>SB0802/ HB1033 Sen. Yarbro (D) Rep. Shaw (D)</p>	<p>Allows LEA/PCSs to retain 3rd-grade students based on student grades or standardized test scores;</p>	<ul style="list-style-type: none"> ● Rewrites the retention code (TCA 49-6-3115) ● Allows LEA/PCSs to retain 3rd-grade students based on student grades or standardized test scores ● Allows LEA/PCSs to require students to participate in research-based intervention approved by LEA/PCSs before beginning of next school year ● Deletes K-3 universal reading screener deficiency parent/guardian notification within 	<ul style="list-style-type: none"> ● SB0802/HB1033 supports local decision-making by allowing LEAs/PCSs to set their own retention policy, consistent with the previous practice. ● Additionally, it supports student acceleration by maintaining the various intervention options created under the original law. ● Also, it is unclear how parents/guardians will be notified if SB0802/HB1033 passes in



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	Allows LEA/PCs to require students to participate in interventions before the following school year	<p>the Literacy Success Act (TCA 49-1-905)</p> <ul style="list-style-type: none">● Applies to 2022-2023 school year	<p>isolation because it deletes the parent/guardian notification.</p> <ul style="list-style-type: none">● Questions for Consideration:<ul style="list-style-type: none">○ If this legislation passes and applies to the 2022-2023 school year, how and when will LEA/PCs make promotion and retention decisions?○ What happens if a student does not attend the required interventions?
<p>SB0818/HB1381</p> <p>Sen. Hensley (R)</p> <p>Rep. Ragan (R)</p>	Adds additional promotion pathway for 3rd-grade students to be promoted if 66%+ of students' LEA/PCs is proficient on 3rd-grade ELA TCAP and parent/guardian, teacher, and principal agree in writing that student should be	<ul style="list-style-type: none">● Creates additional pathway for 3rd-grade students who are not proficient on ELA TCAP to be promoted if $\geq 66\%$ of 3rd-graders in their district are proficient and if parent/guardian, teacher, and principal mutually agree in writing that student should be promoted● Retention decision must be in the student's record	<ul style="list-style-type: none">● A student's district does not drive their instructional needs. For example, a student's admission decision to postsecondary is not determined by the high school they graduated from.● Using 2021-2022 3rd grade ELCA TCAP data, only 5 districts would qualify if passed: Germantown, Alamo, Collierville, Arlington, and Williamson County.● Question for Consideration: What happens if LEA/PCs and families do not agree on the retention decision?



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	promoted to 4th-grade		
SB1265/HB1410 Sen. Akbari (D) Rep. Johnson (D)	Allows LEA/PCSs to retain 3rd-grade students based on student grades or standardized test scores; Requires LEA/PCSs to offer but not require learning loss bridge camps	<ul style="list-style-type: none"> ● Rewrites the retention code (TCA 49-6-3115) ● Allows LEA/PCSs to retain 3rd-grade students based on student grades or standardized test scores ● Requires LEAs/PCSs to offer students at risk of retention based on grades and standardized test scores learning lost bridge camp before the start of the next school year, but cannot require it as a condition for student promotion to 4th-grade ● Deletes K-3 universal reading screener deficiency parent/guardian notification within the Literacy Success Act (TCA 49-1-905) ● Applies to 2022-2023 school year 	<ul style="list-style-type: none"> ● SB1265/HB1410 supports local decision-making by allowing LEAs/PCSs to set their own retention policy, consistent with the previous practice. ● Additionally, it supports student acceleration by maintaining the various intervention options created under the original law. ● Also, it is unclear how parents/guardians will be notified if SB0802/HB1033 passes in isolation because it deletes the parent/guardian notification. ● Question for Consideration: If this legislation passes and applies to the 2022-2023 school year, how and when will LEA/PCSs make promotion and retention decisions?
HB1433/SB1524 Rep. Mitchell (D) Sen. Campbell (D)	Allows LEA/PCSs to retain a student in reading; Requires LEA/PCSs to develop a retention policy based on grade,	<ul style="list-style-type: none"> ● Rewrites the retention code (TCA 49-6-3115) ● Allows LEA/PCSs to retain a student in reading (does not specify grade levels) ● Requires LEA/PCSs to develop a retention policy based on grade, standardized test scores, or other indicators of growth or achievement ● Delays implementation until 2023-2024 school year 	<ul style="list-style-type: none"> ● HB1433/SB1524 supports local decision-making by allowing LEAs/PCSs to set their own retention policy, consistent with the previous practice. ● We appreciate the specific mention of growth to ensure that all students have an opportunity to demonstrate their understanding, regardless of their starting point. ● Allowing LEAs/PCSs to retain outside of 3rd-grade is already permissible under TN SBE rule.



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	standized test scores, or other indicators of growth or achievement		<ul style="list-style-type: none">● Delaying implementation allows LEAs/PCSs to create a new promotion and retention policy and gives students, families, and other stakeholders time to understand and implement changes
SB0920/HB0852 Sen. Rose (R) Rep. Leatherwood (R)	Allows students who score “approaching” on the 3rd-grade ELA TCAP to be promoted if they demonstrate growth on a universal reading screener and standards mastery on the state-adopted benchmark assessment	<ul style="list-style-type: none">● Allows students who score “approaching” on the 3rd-grade ELA TCAP to be promoted if they demonstrate growth above the national norm on a universal reading screener and demonstrate standards mastery on the state-adopted benchmark assessment● TNSBE will provide LEA/PCSs national norm for screener and how to measure standards mastery on state-adopted benchmark assessment	<ul style="list-style-type: none">● SB0920/HB0852 likely reduces the number of students at-risk of retention by adding additional pathways to demonstrate reading skills.● We appreciate the specific mention of growth to ensure that all students have an opportunity to demonstrate their understanding, regardless of their starting point.● We recommend that these retention exemptions also apply to students who score “below” on the ELA TCAP so that they can also demonstrate growth and to increase stakeholders transparency.



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<p>SB0901/HB0927</p> <p>Sen. Akbari (D)</p> <p>Rep. McKenzie (D)</p>	<p>Removes adequate growth requirement at the end of learning loss bridge camp; Requires students who attending learning loss bridge camp or tutoring to demonstrate adequate growth on 4th-grade ELA TCAP for promotion</p>	<ul style="list-style-type: none">● Removes adequate growth requirement on the learning loss bridge camp post-test for students who score “approaching” on the 3rd-grade ELA TCAP● Requires students who attending learning loss bridge camp or tutoring to demonstrate adequate growth on 4th-grade ELA TCAP for promotion (previously just for students who were assigned a tutor)	<ul style="list-style-type: none">● Moving adequate growth provision to the 4th-grade ELA TCAP may increase stakeholder transparency.● Currently, it is unclear how TDOE will define adequate growth on the summer learning loss bridge camp on the post-test or 4th-grade promotion based on the 4th-grade ELA TCAP.● However, this legislation does not substantially revise the current, mandatory, state-level retention law (TCA 49-6-3115: Promotion of students from third grade) for 3rd and 4th-grade students who do not score proficient on the ELA TCAP.
<p>HB1412/SB0819</p> <p>Rep. Raper (R)</p> <p>Sen. Hensley (R)</p>	<p>To be determined</p>	<ul style="list-style-type: none">● Caption bill pending amendment	<ul style="list-style-type: none">● To be determined



Resources

- [Learning Acceleration \(Retention resources including appeal form\)](#), TDOE, 2023
- [The Cost of Retention Memo](#), Ed Trust TN, 2022
- [Unpacking Tennessee's third grade retention law](#), WPLN's This is Nashville with Ed Trust TN's Breanna Sommers, 2/23/2023
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Have questions? Let us help find the answers! Email bsommers@edtrust.org to ask.