

Hamilton County Board of Education

Monitoring: Review: Annually in November	Descriptor Term: Promotion and Retention	Descriptor Code: 4.609	Issued Date: 06/19/14
		Rescinded:	Revised: 12/08/22

GENERAL

All promotion and retention decisions shall be made on a case-by-case basis and comply with state and federal law, as well as local promotion guidance. The superintendent, or his/her designee, shall be responsible for all decisions regarding promotion, retention, and acceleration. Promotion, retention, or acceleration shall be considered on the basis of what is best for the child. All decisions shall be made in consultation with a student's IEP and/or 504, if applicable.¹

The teacher is responsible for making the recommendation after consulting with the appropriate professional staff. Parent preference must be taken into account. The parents may appeal the decision to the principal.

Students who have difficulty in achieving the requirements for promotion may be considered for retention. Schools shall identify these students by February 1st. Students may be identified for retention after the February 1st deadline if the delay in identifying a student is due to:

1. Lack of instructional availability; or
2. Additional information acquired after results of local assessment, screening, monitoring, or 3rd quarter grades are released.

PROMOTION PLANS

When a student is considered for retention, the student's parent/guardian shall be notified within fifteen (15) days, and an individualized promotion plan shall be developed to help the student avoid retention. The plan shall be developed in coordination with the student's teachers, IEP or 504 team, if applicable, and may also include input from the student's parent(s)/guardian(s), school counselor, or other appropriate school personnel.

A copy of the plan will be provided to the student's parent(s)/guardian(s), and the school shall offer the opportunity for a parent-teacher conference to discuss the plan.

A student who demonstrates sufficient academic progress according to his/her promotion plan shall be promoted to the next grade level unless retention is required per additional requirements for students in third grade.²

If a student has not demonstrated sufficient academic progress according to his/her promotion plan by the end of the school year, the student shall be eligible to enroll in a summer reading or learning program, if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10) calendar days prior to the start of the next school year if the student was enrolled in a summer program. However, if the student wasn't enrolled in a summer program, the parent(s)/guardian(s) shall be

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2 notified of a decision for retention at least thirty (30) calendar days prior to the start of the next school
3 year.³
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5 **RETENTION**

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7 A student may be retained when such retention is in the best interest of the student or when retention is
8 required per additional requirements for students in third grade. However, a student shall not be
9 retained more than once in any grade.
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11 If a student is retained, the school shall develop an individualized academic remediation plan within
12 thirty (30) calendar days after the beginning of the next school year. A copy of the plan shall be
13 provided to the student's parent(s)/guardian(s) within ten (10) calendar days of its development. The
14 individualized academic remediation plan shall be completed in compliance with local guidance.
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16 **3rd Grade Retention Decisions**

17 Third grade students shall not be promoted to the next grade unless they are determined to be
18 proficient (i.e., receive a performance level rating of "met expectations" or "exceeded expectations") in
19 English language arts (ELA) based on the student's most recent TCAP test.

20 For third grade students with disabilities, retention and promotion decisions shall be made on a case-
21 by-case basis and in consultation with the student's IEP and/or 504 team to determine whether the
22 student's performance on the ELA portion of TCAP was due to the student's disability. The school
23 district shall not retain a student with a disability or a suspected disability that impacts their ability to
24 read.

25 Students who are not proficient in ELA may still be promoted if the conditions outlined in TCA
26 49.6.3115 are met.

27 **APPEALS**

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29 For students where retention is required per the additional requirements for students in third grade,
30 parent(s)/guardian(s) may appeal this decision directly to the Department of Education in accordance
31 with state law.⁴
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33 For all other grade levels, when a student is identified for retention, the parent(s)/guardian(s) shall be
34 notified about the decision to retain the student and provided with information on the right to appeal
35 the decision.
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Legal Reference:

1. 20 USCA 1400 es seq.; 29 U.S.C. 794 (Section 504);
TRR/MS 0520-01-03-.16; TCA 49-6-3115
2. TRR/MS 0520-01-03-.16(6)(f)
3. TRR/MS 0520-01-03-.16(6)(e)
4. TRR/MS 0520-01-03-.16(7)(f)