

CHEATHAM COUNTY BOARD OF EDUCATION WORK SESSION AGENDA

Cheatham County Board of Education

August 28, 2025

Place: Educational Annex/Board Room

Time: 6:00 PM

1. Budget and Finance
 - A. Budget Summary
 - B. Emergency Oven for Nutrition - CMS - \$45,000.00
 - C. Arts and Athletic Supplement
 - D. Fund Balance Discussion
 - E. ISM - \$148,386.43
 - F. United Way of Greater Nashville Grant - \$42,205.00
2. Library Property Agreement
3. Revision of Policies
 - A. 1.901 Charter School Applications
 - B. 1.903 Charter School Oversight
 - C. 1.905 Charter School Renewal
 - D. 1.906 Charter School Revocation
 - E. 1.407 School District Records
 - F. 4.603 Promotion and Retention
4. Scott Property
5. PVAA Lease
6. Review September 11th Board Meeting Agenda
7. Comments from Board Members
8. Comments from Director

Cheatham County Board of Education			
Monitoring: Review: Annually, in September	Descriptor Term: Charter School Applications First Reading 9 11 2025	Descriptor Code: 1.901	Issued Date: 05/02/24
		Rescinds: 1.901	Issued: 03/04/21

1 *General*

2 This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to
3 charter schools converting from existing public schools. Proposals from existing charter school
4 operators or replicators and applicants proposing to contract with educational service providers shall be
5 in accordance with state law.¹

6 **APPLICATION PROCESS²**

7 A prospective charter school sponsor shall send the Director of Schools/~~designee~~ notice of its intent
8 sixty (60) days prior to February 1st of the year preceding the year in which the proposed charter
9 school plans to begin operation as a charter school. The Director of Schools/~~designee~~ shall determine
10 whether the sponsor has selected the correct application category within ten (10) business days of
11 receiving the letter of intent and notify the sponsor within five (5) business days of a determination that
12 the incorrect application category has been selected.²

13 A sponsor seeking board approval of an initial charter school application shall complete the forms
14 provided by the ~~Tennessee Department of Education~~ State Board of Education in coordination with the
15 ~~Tennessee Public Charter School Commission~~ ("the Commission"). The application shall provide all
16 the information required by law. The sponsor shall demonstrate that the proposed charter school meets
17 the purpose prescribed by ~~state~~ law for the formation of a charter school, and the proposed charter
18 school will be able to implement a viable program of quality education for its students.

19 Electronic copies of applications shall be submitted to the Board ~~and Tennessee Department of~~
20 ~~Education and the Commission~~ on or before 11:59 p.m. Central Time on February 1st of the year
21 preceding the year in which the proposed charter school plans to begin operation as a charter school. If
22 the 1st of February falls on a Saturday, Sunday, or holiday on which the school district offices are
23 closed, applications will be accepted on the next business day on or before 11:59 p.m. Late
24 applications will not be accepted, without exception. The sponsor shall pay an application fee of
25 \$2,500.00. ~~The Director of Schools/designee shall report each application received to the Commission~~
26 ~~no later than ten (10) days after receipt.~~²

27 The Board shall determine whether an application is complete within ten (10) business days of
28 receiving the application and shall notify the sponsor within five (5) business days of the determination
29 if the application is determined to be incomplete.³

30 **REVIEW TEAM¹**

If necessary, the Director of Schools/designee shall appoint a review team to assist in reviewing and evaluating charter school applications. The team shall be composed of members of the administrative staff for the district, community members, and a member of the Board with relevant educational, organizational, financial, and legal experience. At the board meeting in December of each year, the Director of Schools/designee shall make a recommendation to the Board on which members of his/her administrative staff should be appointed to the team. The Board shall name the members of the team at its meeting in January of each year. The Board shall designate a Chair of the review team as the contact person for answering questions about the application process and receiving applications. The Director of Schools/designee shall develop an orientation for the team to ensure consistent evaluation standards and the elimination of real or perceived conflicts of interest.

The Board shall require the Director of Schools/designee to develop a procedure for receiving, reviewing, and ruling on applications for the establishment of charter schools by the review team. The procedure shall include a timeline for the application and review process. A copy of the procedure, including the review criteria, shall be available on the district's website.

The review team shall:

- 1) Evaluate all charter school applications based on the review criteria established by state law; and
- 2) Recommend one of the following options to the Board for each application: approve, reject, or reject with stipulations for reconsideration⁴

APPROVAL/DENIAL OF APPLICATION⁴

The Board shall rule by resolution on the approval or denial of a charter application within ninety (90) days of receipt of the completed application, or the application shall be deemed approved by law. The Director of Schools/designee shall report the action taken by the Board to the Department of Education and the Commission.

Approval

The sponsor of a charter school that is approved by the Board shall enter into a written agreement with the Board, which shall be binding on the charter school's governing body. This agreement, known as the charter agreement, shall be in writing and signed by the sponsor and the Board.

The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.⁶

Charter schools approved by the Board are expected to implement the application as submitted and approved. Material variations in operations from the approved application require amendment pursuant to statute and the charter school agreement.⁷

The Board shall not provide services to charter schools that are not requested during the application process except for those services that are required under state or federal laws. Services agreed to be provided to the charter school by the Board shall be provided at board actual cost. The Board and charter school shall execute a service contract for any additional services.

1 New charter school agreements are approved for a ten (10) year period.⁸ The Board may revoke or
2 deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁹

3 *Denial*

4 If the initial charter school application is denied, the Board shall notify the sponsor in writing within
5 ten (10) calendar days, specifying the objective reasons for the denial and the deadline by which the
6 sponsor may submit an amended application. Upon receipt of the grounds for denial, the sponsor shall
7 have thirty (30) days within which to submit an amended application to correct the deficiencies. The
8 Board shall have sixty (60) calendar days either to deny or to approve the amended application, or the
9 application shall be deemed approved by law.⁵

10 If the amended charter school application is denied, the Board shall notify the sponsor in writing
11 within five (5) calendar days, specifying the objective reasons for denial and the sponsor's right to an
12 appeal. Within ten (10) days of final denial, an appeal may be filed with the Tennessee Charter School
13 Commission.¹⁰

Legal References

1. [TCA 49-13-106; State Board of Education Policy 6.111](#)
2. [TCA 49-13-107; Public Acts of 2025, Chapter No. 275 TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01-.01\(1\)\(b\),\(c\)](#)
3. [TRR/MS 0520-14-01-.01\(1\)\(i\)](#)
4. [TRR/MS 0520-14-01](#)
5. [TCA 49-13-108; Public Acts of 2025, Chapter No. 275 TRR/MSS 0520-14-01](#)
6. [TCA 49-13-128](#)
7. [TCA 49-13-110\(d\)-\(e\); TRR/MSS 0520-14-01](#)
8. [TCA 49-13-110\(c\)](#)
9. [TCA 49-13-122](#)
10. [TCA 49-13-108\(b\)\(5\)](#)

Cheatham County Board of Education

Monitoring:
Review: Annually, in August

Descriptor Term:

Charter School Oversight

Descriptor Code:
1.903

Issued Date:
05/02/24

Rescinds:
1.903

Issued:
10/03/19

**First Reading
9 11 2025**

1 *General*

2 The Board shall oversee and annually evaluate charter schools to ensure they meet the performance
3 standards and targets set forth in the charter agreement.¹ The Board shall create a comprehensive
4 performance, accountability, and compliance monitoring system based on the charter agreement and
5 communicate the results to each charter school. At a minimum, the monitoring system shall address
6 academic, financial, and organizational performance standards as outlined in the charter agreement and
7 required by the State Board of Education.¹ The Board shall utilize the results when making renewal,
8 revocation, and intervention decisions. Reports on charter school oversight shall be compiled by
9 Director of Schools/designee and published on the district's webpage at least annually.

10 The Board shall communicate with the charter schools in its portfolio as needed, including both the
11 school leader and governing board, and provide timely notice of any material charter agreement
12 violations and performance deficiencies.

13 The Board shall articulate and enforce stated consequences for failing to meet performance
14 expectations or compliance requirements.

15 **MONITORING SYSTEM**

16 The Director of Schools/designee shall implement a performance and compliance monitoring system
17 per the terms of the charter agreement. This information will be provided to the Board on an ongoing
18 basis through reports that will form the basis of renewal, revocation, and intervention decisions. To aid
19 in this, the Director of Schools/designee shall develop a reporting calendar that outlines when
20 information required by state law shall be provided by the charter school.

21 **SITE VISITS**

22 A site visit to each charter school shall be conducted annually. The purpose shall be to collect data and
23 other qualitative information that cannot be obtained otherwise. The Director of Schools/**designee** shall
24 develop a site visit procedure that outlines the expectations of charter schools prior to, during, and after
25 the site visit, including review of the documents and data, classroom observations, and interviews.
26 These visits shall minimize administrative burdens and avoid operational interference.

27 The Board shall provide the charter school with a report that summarizes the outcome of the visit. The
28 report shall provide an analysis of relevant data and include general recommendations, if applicable.²

CHARTER SCHOOL REPORTING

Charter schools shall provide the information required by the charter agreement and state law to the Board. The Director of Schools/~~designee~~ shall develop a reporting calendar that defines and communicates the process, methods, and timing of gathering and reporting data to the Board.²

By September 1, the governing body of an approved charter school shall make a written report to the Board.³ The annual report shall include:

1. A report on the progress of the school in achieving the goals outlined in the charter school agreement;
2. A financial statement disclosing the financial health of the charter school, including the costs of the administration, instruction, and other spending categories of the school and
3. A detailed accounting, including the amounts and sources, of all funds received by the charter school, other than the funds received per state law.⁴

This reporting requirement shall begin in the year after the year in which the charter school begins operation.

Multiple charter schools overseen by a single governing board shall report their performance as separate, individual charter schools. Each school shall be independently accountable for its performance.

Each charter school governing body shall submit an annual audit of all accounts and records, to include internal school activity and cafeteria funds, to the Board as soon as practical after June 30.⁵

AUTHORIZER REPORTING AND REVIEW

By December 1, the Board shall report to the Department of Education detailing the authorizer fees collected in the previous school year and the authorizing obligations fulfilled using the fee.⁶ By January 1, the Board shall submit an annual authorizer report to the ~~Department of Education and the~~ State Board of Education ~~and make the report available on the district website.~~⁷ The Director of Schools/~~designee~~ shall prepare the reports and provide the information to the Board prior to submission.

Legal References

1. [TCA 49-13-111\(d\); State Board of Education Policy 6.111](#)
2. [TCA 49-13-120](#)
3. [TCA 49-13-120\(a\)-\(b\)](#)
4. [TCA 49-13-112\(a\), \(f\)](#)
5. [TCA 49-13-127](#)
6. [TCA 49-13-128\(f\) Public Acts of 2025, Chapter No. 275](#)

7. [TCA 49-13-120\(c\)](#) [Public Acts of 2025, Chapter No. 275](#)

Cheatham County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Charter School Renewal	Descriptor Code: 1.905	Issued Date: 05/02/24
		Rescinds: 1.905	Issued: 10/03/19

**First Reading
9 11 2025**

1 INTERIM REVIEW

2 The Director of Schools/designee shall conduct an interim review of a charter school in the fifth year
3 of a charter term in accordance with guidelines developed by the Department of Education. As part of
4 this process, the charter school shall submit a report on the progress of the school in achieving the
5 goals and objectives set forth in the charter agreement.¹

6 CUMULATIVE PERFORMANCE REPORT

7 Three (3) months prior to the date on which a charter school is required to submit a renewal
8 application, the Director of Schools/designee shall submit a performance report to the charter school⁺
9 that summarizes the school's performance record over the charter term and states the summative
10 findings concerning the school's performance and prospects for renewal.²

11 APPLICATION AND EVALUATION

12 No later than April 1 of the year prior to the year in which the charter school agreement expires, the
13 governing body of a charter school shall submit a renewal application to the Board.⁺ ³

14 The Director of Schools/designee shall conduct a renewal evaluation site visit to each charter school
15 that submits a charter renewal application.

16 The Board will make renewal decisions by February 1st in the year the charter school agreement
17 expires.

18 RENEWAL CRITERIA⁴

19 The Board shall define and communicate with schools the criteria for renewal that is consistent with
20 the charter agreement. The Board shall make its renewal decision based on the renewal application,
21 annual progress reports, and renewal performance report.

22 Within ten (10) days of the Board voting by resolution on a renewal application, the Director of
23 Schools/designee shall promptly notify a school of its renewal recommendation and decision,
24 including the reasons for the decision and any rights to an appeal. The Director of Schools/designee
25 shall promptly communicate renewal decisions to the school community and public **as well as the**
26 **Department of Education and Commission.**

Legal References

1. [TCA 49-13-121\(k\) ; Public Acts of 2025, Chapter No. 275](#)
2. [State Board of Education Policy 6.111](#)
3. [TCA 49-13-121\(a\) Public Acts of 2025, Chapter No. 275](#)
4. [TCA 49-13-121; State Board of Education Policy 6.111 Public Acts of 2025, Chapter No. 275](#)

Cheatham County Board of Education

Monitoring:

Review: Annually, in
August

Descriptor Term:

Charter School Revocation

First Reading
9 11 2025

Descriptor Code:

1.906

Issued Date:

05/02/24

Rescinds:

1.906

Issued:

10/03/19

General

The Board shall also revoke a charter agreement if the charter school:¹

1. Failed to meet the minimum performance requirements set forth in the charter agreement;
2. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter agreement;
3. Failed to meet generally accepted standards of fiscal management; or
4. Performed any of the acts that are conditions for non-approval of charter schools under state law.

NOTICE

The Director of Schools/designee shall notify the charter school of the Board's intent to revoke the charter agreement in writing at least thirty (30) days prior to the revocation.²

Within ten (10) days of the Board voting to renew, not renew, or revoke a charter agreement, the Director of Schools/designee shall report the Board's decision to the Department of Education and Tennessee Public Charter School Commission. The Director of Schools/designee shall also provide a copy of the Board's resolution setting forth the decision and the reasons for the decisions, and an explanation of the right to appeal.³

REVOCATION DUE TO PRIORITY STATUS

The Board may revoke a charter school agreement if the charter school is identified as a priority school under state law. Revocation shall take effect immediately following the close of the school year in which the charter school is identified as a priority school.⁴

The Board shall revoke a charter school agreement if the charter school is identified as a priority school for two consecutive cycles (~~beginning in 2017~~). Revocation shall occur immediately after the close of the school year in which the charter school is identified as a priority school for the second consecutive cycle.

PROCEDURES FOR CLOSURE

- 1 The Director of Schools shall develop administrative procedures regarding charter school closures
2 prior to the Board denying renewal or revoking a charter agreement.⁵ These procedures shall outline a
3 detailed protocol that will ensure timely notification to parents, orderly transition of students and
4 student records, and disposition of school funds, property, and assets in accordance with state law.

Legal References

1. [TCA 49-13-122\(b\); State Board of Education Policy 6.111](#)
2. [TCA 49-13-122\(e\)](#)
3. [State Board of Education Policy 6.111 Public Acts of 2025, Chapter No. 275](#)
4. [TCA 49-13-122\(a\)](#)
5. [TCA 49-13-130](#)

Cheatham County Board of Education			
Monitoring: Review: Annually, in July	Descriptor Term: School District Records	Descriptor Code: 1.407	Issued Date: 08/07/25
	First Reading 9 11 2025	Rescinds: 1.407	Issued: 11/05/20

The Director of Schools shall maintain all school district records required by law, regulation and board policy. Any citizen of Tennessee shall be permitted during business hours to inspect public records maintained by the school district unless otherwise prohibited by law. Any citizen of Tennessee may request in writing and receive copies of open public records subject to the payment of reasonable cost.^{1,2,3,4}

No records pertaining to individual students will be released for inspection by the public or any unauthorized persons. In addition, information, records, and plans related to security and safety will not be released for public inspection.⁵

All requests to inspect or receive copies of records shall be submitted to the district's public records request coordinator, central office administrative assistant.⁶ The public records request coordinator shall forward request for inspection or copies of records to the appropriate records custodian, Director of Schools' designee.⁶

Prior to producing any kind of record, the records custodian shall ensure confidential information is redacted. Original documents remain intact and confidential information in copies produced for a requestor shall be redacted. The Director of Schools shall develop a procedure to redact confidential information.

REQUESTS FOR INSPECTION²

Citizens requesting to inspect public records shall submit their request and a government issued photo identification card with the citizen's address to the district's public records request coordinator during normal business hours. Requests may be made in person or by telephone, ~~fax, mail, or email~~ **electronic transmission, or mail**. The coordinator shall submit the information to the appropriate records custodian. The records custodian will contact the citizen and indicate when the records will be available to inspect.

If the records cannot be made available within seven (7) business days, the records custodian shall provide a records production letter indicating the time needed to complete the request.

If the request to inspect is denied, the records custodian shall provide the citizen with a records request denial letter indicating the basis for the denial.

REQUESTS FOR COPIES²

Citizens requesting copies of public records shall complete and submit the Records Request Form and a government issued photo identification card with the citizen's address to the district's public records

request coordinator during normal business hours. The coordinator shall submit the Records Request Form to the appropriate records custodian.

The records custodian shall provide an estimate of the reasonable costs to produce the requested records. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found at <https://comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/ScheduleofReasonableCharges.pdf> shall be used to determine the reasonable cost. The records custodian will provide the citizen with an invoice detailing the charges. The citizen shall pay the estimated reasonable costs by check prior to the district producing the copies.

If the records cannot be made available within seven (7) business days, the records custodian shall provide a records production letter indicating the time needed to complete the request.

If the request for copies is denied, the records custodian shall provide the citizen with a records request denial letter detailing the basis for the denial.

FREQUENT AND MULTIPLE REQUESTS

When the total number of requests for copies made by a requestor within a calendar month exceeds four (4), the requestor may be charged a fee for any and all labor that is reasonably necessary to produce copies of the requested records. Prior to charging a reasonable fee, the requestor shall be notified of this policy and provided with a Notice of Aggregation of Multiple Requestors form. The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found at <https://comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/ScheduleofReasonableCharges.pdf> shall be used to determine the reasonable cost. Further, the names of persons inspecting records and the date of inspection shall be recorded.

DENYING REQUESTS FOR NONCOMPLIANCE⁷

Requests to Inspect a Public Record

The district shall deny a request to inspect a public record from any citizen that has:

- a. Made two (2) or more requests to view a public record within a six-month period; and
- b. For each request failed to view the record within fifteen (15) business days of receiving notification that the record was available.

Requests from this citizen shall be denied for up to six (6) months from the date of the second records request. The district's public records request coordinator may waive this denial if he/she determines that failure to view the record was for good cause.

Requests for Copies of Public Records

The district shall deny a request for copies of a public record from any citizen that has:

- a. Been provided with an estimate of the reasonable cost to produce the requested records;

- b. Agrees to pay such estimated reasonable cost prior to production of the records; and
- c. Fails to pay the actual cost after the records have been produced.

Additional requests from this citizen shall be denied until the original cost is paid.

RECORDS RETENTION

The Director of Schools and/or his designee(s) shall retain and dispose of school district records in accordance with the following guidelines:⁸

- ~~1.~~ The Director of Schools and/or his/her designee(s) will determine if a particular record is of permanent or temporary value in accordance with state law; ^{9, 10}
2. Temporary value records which have been kept beyond the required time may be recommended to the Public Records Commission for destruction;^{11, 12}
- ~~3.~~ The records that the State Librarian and Archivist desire to preserve in their facilities will be transferred to the State Library and Archives. The temporary value records rejected by the State Library and Archives may be transferred to another institution or destroyed;^{11,12,13}
4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.). If the Director of Schools desires to destroy the original permanent record, these records must be reproduced by microfilming or some other permanent reproduction method. Permission to destroy any original permanent record after microfilming follows the same procedure noted above for temporary records;^{10,12}and
5. The Director of Schools shall establish procedures to safeguard against the unlawful destruction, removal or loss of records.¹⁴

DISTRICT PUBLIC RECORDS REQUEST COORDINATOR¹⁵

Central Office Administrative Assistant
102 Elizabeth Street
Ashland City, TN 37015
(615) 792-5664

Legal References

1. [TCA 49-2-301\(b\)\(1\)\(Z\)](#)
2. [TCA 10-7-503](#); [Public Acts of 2025, Chapter No. 94](#)
3. [TCA 10-7-506\(a\)](#)
4. [TCA 49-2-104](#)
5. [TCA 10-7-504\(p\)](#)
6. *Policy Related to Reasonable Charges a Records Custodian May Charge for Frequent and Multiple Requests for Public Records*, Tennessee Comptroller of the Treasury, available at <https://www.comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/ScheduleofReasonableCharges.pdf>; [TCA 10-7-503\(a\)\(1\)\(B\).\(C\)](#)
7. [TCA 10-7-503\(a\)\(7\)\(A\)\(vii\)](#)
8. [TCA 10-7-503\(h\)\(6\)](#)
9. [TCA 10-7-401](#)
10. [TCA 10-7-406](#); [TCA 10-7-301\(5\).\(13\)](#)
11. [TCA 10-7-404](#)
12. [TCA 10-7-413](#)
13. [TCA 10-7-414](#)
14. [TCA 39-16-504](#)
15. [TCA 10-7-503\(g\)\(1\)\(D\)](#)

Cross References

Records Request Form 1.407.1
Public Record Request Response Form 1.407.2
Financial Reports and Records 2.701
Personnel Records 5.114
Student Records 6.600

Cheatham County Board of Education

Monitoring:

Review: Annually, in
December

Descriptor Term:

Promotion and Retention

Descriptor Code:

4.603

Issued Date:

09/05/24

Rescinds:

4.603

Issued:

02/01/24

First Reading
9 11 2025

General

All promotion and retention decisions shall be made on a case-by-case basis and comply with state and federal law. All decisions shall be made in consultation with a student's IEP and/or 504 team, if applicable.¹

Students who have difficulty in achieving the requirements for promotion may be considered for retention. Schools shall identify these students by February 1st. Factors used to identify students for retention shall include:^{1,2}

1. The student's ability to perform at the current grade level;
2. The results of local assessments, screening, or monitoring tools;
3. State Assessments, as applicable;
4. The overall academic achievement of the student;
5. The student's chance for success with more difficult material if promoted to the next grade;
6. Attendance record; and
7. Social and emotional maturity.
8. Home Literacy Reports.³

Students may be identified for retention after the February 1st deadline if the delay in identifying a student is due to⁴:

1. Date of enrollment; or
2. Additional information acquired after results of local assessment, screening, or monitoring are released.

VOLUNTARY RETENTION⁵

A parent/guardian of a student enrolled in kindergarten through second grade may choose to retain his/her student in the current grade level if:

- 1 1. The student has a documented academic or behavioral delay; and
- 2 2. The parent/guardian believes that retention may benefit the student.⁵

3 This information shall be submitted in writing within thirty (30) days of the end of the school year. The
4 district shall send written notice to the parent/guardian confirming whether the student is eligible for
5 retention under state law.

6 **PROMOTION PLANS⁶**

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

12 Promotion plans shall incorporate evidence-based strategies, including expectations and measurements
13 that will verify whether a student has made sufficient progress to be promoted to the next grade level,
14 and be tailored to the student's learning needs. Promotion plans for students in third and fourth grade
15 will include additional requirements for promoting students in these grades. A copy of the plan will be
16 provided to the student's parent(s)/guardian(s), and the school shall offer the opportunity for a parent-
17 teacher conference to discuss the plan. If a student is not making progress on the promotion plan, then
18 the strategies shall be modified. Parent(s)/guardian(s) shall be provided with any changes to the
19 promotion plan.

20 A student who demonstrates sufficient academic progress according to his/her promotion plan shall be
21 promoted to the next grade level unless retention is required per additional requirements for students in
22 third and fourth grade.⁷

23 If a student has not demonstrated sufficient academic progress according to his/her promotion plan by
24 the end of the school year, the student shall be eligible to enroll in a summer reading or learning
25 program, if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10)
26 calendar days prior to the start of the next school year if the student was enrolled in a summer program.
27 However, if the student wasn't enrolled in a summer program, the parent(s)/guardian(s) shall be
28 notified of a decision for retention at least thirty (30) calendar days prior to the start of the next school
29 year.⁸

30 **RETENTION⁷**

31 A student may be retained when such retention is in the best interest of the student or when retention is
32 required per additional requirements for students in third and fourth grade.

33 *Decision of Retention – General⁹*

34 If a student is retained, the Director of Schools/designee shall develop an individualized academic
35 remediation plan within thirty (30) calendar days after the beginning of the next school year. A copy of

the plan shall be provided to the student's parent(s)/guardian(s) within ten (10) days of its development. This plan shall include at least one of the following strategies:

1. Adjustment to the current instructional strategies or materials;
2. Additional instructional time;
3. Individual tutoring;
4. Modification to the student's classroom assignment to ensure the student receives instruction from a highly effective teacher; with a level of overall effectiveness of above expectations (level 4) or significantly above expectations (level 5); or
5. Attendance or truancy interventions.

A student shall not be retained more than once in any grade. The progress of students who are retained shall be closely monitored and reported to parent(s)/guardian(s) at least three (3) times during the school year in which the student is retained. The Director of Schools shall develop procedures to ensure appropriate recordkeeping of students who are retained.

Decision of Retention – Third Grade¹⁰

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

Students who are not proficient in ELA may still be promoted if the following conditions are met:

1. A student in third grade receiving a performance level rating of "approaching" on the ELA portion of the student's most recent TCAP test may be promoted if:
 - a. The student is an English language learner and has received less than two (2) full years of ELA instruction;
 - b. The student was previously retained in grades K-3;
 - c. The student is retested before the next school year and scores proficient in ELA;
 - d. The student attends a learning loss bridge camp before the next school year, maintains a ninety percent (90%) attendance rate, and demonstrates adequate growth on the post-test at the end of the camp;
 - e. The student receives tutoring for the entirety of the next school year in accordance with state law; or
 - f. Beginning with the 2023-2024 school year, the student demonstrates proficiency in ELA standards by scoring within the fiftieth percentile on the most recently administered state-provided benchmark assessment and the district provides tutoring services to the student during the entire fourth grade school year and notifies the student's parent(s)/guardian(s), in writing, of the benefits of enrolling the student in summer programming.

2. A student in third grade receiving a performance level rating of “below” on the ELA portion of the student’s most recent TCAP test may be promoted if:

- a. The student is an English language learner and has received less than two (2) full years of ELA instruction;
- b. The student was previously retained in grades K-3;
- c. The student is retested before the next school year and scores proficient in ELA; or
- d. The student attends a learning loss bridge camp before the next school year, maintains a ninety percent (90%) attendance rate, and receives tutoring for the entirety of the next school year in accordance with state law.

Decision of Retention – Fourth Grade¹⁰

Students in the following categories may be promoted to fifth grade if they demonstrate adequate growth on the fourth-grade ELA portion of the TCAP test:

1. A student who was promoted to fourth grade due to receiving tutoring for the entirety of the fourth-grade school year; and
2. A student who was promoted to fourth grade due to attending a learning loss bridge camp while maintaining a ninety percent (90%) attendance rate and receiving tutoring for the entirety of the fourth grade school year.

If a student that was promoted to fourth grade under one of the provisions above does not demonstrate adequate growth on the fourth-grade ELA portion of the TCAP test, then the following shall occur:

1. The student’s principal shall convene a conference consisting of the following parties: the student’s parent(s)/legal guardian, the student’s ELA teacher, and the student’s principal.
2. The conference shall review the student’s fourth grade ELA performance to determine if the student should be promoted to fifth grade.
3. At the conclusion of the conference, a majority of the parties shall agree to one of the following:
 - a. The student will be promoted to fifth grade and be assigned a tutor for the entirety of the student’s fifth-grade year; or
 - b. The student will be retained in fourth grade. A student shall not be retained more than once in fourth grade.

Decision of Retention – Students with Disabilities¹¹

Retention and promotion decisions shall be made on a case-by-case basis and in consultation with the student’s IEP and/or 504 team to determine whether the student’s performance on the ELA portion of TCAP was due to the student’s disability. The school district shall not retain a student with a disability or a suspected disability that impacts their ability to read.

1 APPEALS^{8,12}

2 When a student is identified for retention, the parent(s)/guardian(s) shall be notified about the decision
 3 to retain the student and provided with information on the right to appeal the decision. Appeals shall be
 4 made to a committee appointed by the principal within ten (10) business days. The student and his/her
 5 parent(s)/guardian(s) shall be provided written or actual notice of the appeal hearing and shall be given
 6 the opportunity to address the committee. The committee shall conduct a hearing within ~~five (5)~~ **ten (10)**
 7 business days to determine if the student will be promoted and issue such decision within ~~three (3)~~ **five**
 8 **(5)** business days. Upon notification of the committee decision, the principal shall send written
 9 notification to the Director of Schools/designee and the parent(s)/guardian(s). The notification shall
 10 advise parent(s)/guardian(s) of their right to appeal such action within ten (10) business days to the
 11 Director of Schools/designee.

12 The appeal shall be heard no later than ten (10) business days after the request for appeal is received. A
 13 decision shall be issued within ~~three (3)~~ **five (5)** business days.

14 Within five (5) business days of the Director of Schools/designee rendering a decision, the student's
 15 parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the record.
 16 Following the review, the Board may affirm or overturn the decision of the Director of Schools/designee.
 17 The action of the Board shall be final.

18 For students where retention is required per the additional requirements for students in third and fourth
 19 grade, parent(s)/guardian(s) may appeal this decision in accordance with state law.¹³

Legal References

1. [20 USCA § 1400 et 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\(5\)](#)
3. [TCA 49-1-905\(c\)](#)
4. [TRR/MS 0520-01-03-.16\(4\)](#)
5. [Public Acts of 2024, Chapter No. 829 TCA 49-6-314](#); [TRR/MS 0520-01-03-.16\(6\)](#)
6. [TRR/MS 0520-01-03-.16\(6\)](#)
7. [TRR/MS 0520-01-03-.16\(6\)\(f\)](#)
8. [TRR/MS 0520-01-03-.16\(6\)\(e\)](#)
9. [TRR/MS 0520-01-03-.16\(6\)\(g\)](#)
10. [TRR/MS 0520-01-03-.16\(7\)](#)
11. [29 U.S.C. § 794 \(Section 504\)](#); [20 USCA § 1400 et seq.](#); [TRR/MS 0520-01-03-.16\(7\)\(e\)](#); [Public Acts of 2024, Chapter No. 989](#)
12. [TRR/MS 0520-01-03-.16\(3\)](#); [TRR/MS 0520-01-02-.17\(7\)](#); [TCA 49-6-3102\(c\)\(1\)](#)
13. [TRR/MS 0520-01-03-.16\(7\)\(f\)](#)

Cross References

Credit Recovery 4.210
 Grading System 4.600
 Reporting Student Progress 4.601
 Attendance 6.200
 Student Assignments 6.205
 Homeless Students 6.503
 Student Records 6.600

