

Guidance for

Third Grade Success Act Retention

July 2026

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West Virginia Board of Education
2026-2027

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West Virginia Third Grade Success Act

Purpose

This document provides guidance to county boards of education, school administrators, and educators related to the requirements specifically surrounding retention and promotion in the West Virginia Third Grade Success Act.

The West Virginia Third Grade Success Act, enacted through House Bill 3035 in the 2023 regular session, is a comprehensive initiative aimed at enhancing early literacy and numeracy among students in kindergarten through third grade. Recognizing the critical importance of early academic proficiency, the Act implements a statewide, multi-tiered system of support to identify and assist students who exhibit deficiencies in reading and mathematics.

This legislation represents a significant investment in early education, aiming to ensure that all West Virginia students acquire the foundational skills necessary for academic success in subsequent grades.

W. Va. Code §18-2E-10

W. Va. Code §18-2E-10, specifically, section (o)

Effective for the school year beginning July 1, 2026, and thereafter, a public school student who generally demonstrates a minimal understanding of, and ability to apply, grade level English language arts or mathematics knowledge, skills, and abilities, or both, as indicated on the West Virginia General Summative Assessment relative to the West Virginia College and Career Readiness Standards at the end of third grade, shall upon the recommendation of the teacher and the student assistance team, be retained in the third grade for the ensuing school year subject to the following exceptions:

(1) A student with disabilities whose Individualized Education Program indicates participation in the statewide alternate summative assessment;

(2) A student identified as an English language learner who has had less than three years instruction in English as a second language;

(3) A student with disabilities who participates in the statewide summative assessment, has an Individual Education Program or Section 504 plan that reflects that the student has received intensive intervention for more than two years and still demonstrates a deficiency or who was previously retained in any of the grades kindergarten through grade three;

(4) A student who is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant impairment, including dyslexia or dyscalculia, or is a child with a disability if the student's individualized education program team and the student's parent or guardian agree that promotion is appropriate based on the student's Individualized Education Program;

(5) A student who has received intensive intervention for two or more years, still demonstrates a deficiency, and who was previously retained in any of the grades kindergarten through grade three for a total of two years: Provided, That the student shall continue to receive intensive intervention in grade four;

(6) A student who demonstrates an acceptable level of performance on an alternative standardized assessment approved by the state board;

(7) A student who attends an extended year learning program following the third grade and has attained proficiency; and

(8) A student whose parent or guardian has requested a good cause exemption within the time period established by the county board and the superintendent, or his or her designee, determines that the good cause exemption is in the best interests of the child: Provided, That a good cause exemption may not prohibit the grade level retention of a student by a classroom teacher based upon the student's lack of mastery of the subject matter and preparation for the subject matter at the next grade level.

Essential Elements of the Third Grade Success Act

Professional Development

The Third Grade Success Act mandates that all K–3 educators, including teachers, aides, and interventionists, receive training in evidence-based instructional practices known as the "Science of Reading" (SOR). This approach emphasizes phonemic and phonological awareness, phonics, fluency, vocabulary, and comprehension, which grounds instruction in methodologies supported by the SOR research consensus. The Act also requires educator professional development for mathematics instruction, dyslexia, and dyscalculia.

Early Childhood Classroom Assistant Teachers

A key component of this legislation is the inclusion of Early Childhood Classroom Assistant Teachers (ECCATs) in Grades 1-3. The Act mandates that all K-3 educators, including ECCATs, receive training in evidence-based instructional practices known as the "Science of Reading," which emphasizes phonemic awareness, phonics, fluency, vocabulary, and comprehension. This approach ensures that instruction is grounded in proven methodologies. Additionally, the Act provides funding to support the hiring of ECCATs, aides, and interventionists, with a phased implementation over three years to ensure that every classroom has the necessary support to help students achieve academic success.

Benchmark Assessments and Screeners

Students in grades K–3 are required to participate in benchmark assessments in English Language Arts (ELA) and mathematics within the first 30 days of the school year, with follow-up assessments at mid-year and year-end. Additionally, students who fall below established cut scores on the benchmark assessments, which may indicate dyslexia, will be screened with additional tools provided by the screener vendor twice annually.

Minimal Understanding

Students who achieve a score in the "does not meet standard" range for ELA, mathematics, or both subjects on the Grade 3 West Virginia General Summative Assessment (WVGSA) are classified as having minimal understanding of grade level content.

Individualized Improvement Plans

For students identified with substantial deficiencies based on screener scores, individualized reading or mathematics improvement plans are developed collaboratively by teachers, school personnel, and parents. These plans outline specific, evidence-based interventions tailored to address each student's unique needs. For students who already have a diagnosis, the student's IEP can act as the improvement plan. If a student's IEP meets the deficiency of the screener, the IEP may act as the improvement plan. If a child has an IEP for reading, but is falling below the cut score in math, the student will also need an improvement plan for math.

- A mathematics improvement plan must be developed for students who are identified as deficient in mathematics.
- A reading improvement plan must be developed for students who are identified as deficient in English language arts.
- This plan must be created within 30 days of identification and include intervention services tailored to address the student's specific deficiencies and aligned with the school's implementation of a Multi-Tiered System of Support (MTSS).
- §18-2E-10 (8) *Any student in kindergarten or grades one through three who exhibits a deficiency in reading at any time, based upon the screeners and/or benchmark assessments, and/or the comprehensive statewide student assessment, and any fourth-grade student promoted for good cause shall receive an individual reading improvement plan no later than 30 days after the identification of the reading deficiency. The reading improvement plan shall be created by the teacher, principal, other pertinent school personnel, and the parent(s) or guardians, and shall describe the research-based reading intervention services the student will receive to remedy the reading deficit. Each student shall receive intensive reading intervention until the student no longer has a deficiency in reading. Reading interventions may include evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, small-group instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities;*

Parental Notification

The Third Grade Success Act emphasizes active parental involvement by requiring schools to notify parents within 15 days of identifying a deficiency. Parents receive regular updates on their child's progress and are provided with strategies to support learning at home.

- Parents or guardians of students identified as having a literacy or mathematics deficiency in Grades K-3 must be notified in writing within 15 days of initial identification.
- The notification must include:
    - The student's deficiency.
    - A description of the reading and/or numeracy improvement plan including intervention or IEP services.

- Strategies for parental support at home.
- A clear statement that retention of the student may occur if deficiencies are not corrected by the end of the student's third grade year.
- Parents should be provided with regular updates to inform them of their child's progress. For example, it is appropriate to update parents after each benchmark screener (BOY, MOY, EOY), following the initial notification of the student's deficiency.

Extended Learning Opportunities

Students who achieve minimal understanding on the Grade 3 WVGSA shall be required to participate in extended day or extended year summer learning programs focused on literacy and numeracy to provide additional instructional time and support.

Retention

Beginning with the school year starting July 1, 2026, public school third-grade students who demonstrate a minimal understanding of grade-level English language arts or mathematics as indicated on the WVGSA shall upon the recommendation of the teacher and the Student Assistance Team (SAT) be retained in third grade for the next school year (see *§18-2E-10*, *§18-5-18a*, *§18-9A-5* for additional detail). The recommendation for retention will be made by the classroom teacher and the SAT team based on the student's score on the WVGSA, proficiency with the subject matter, and preparedness for the next grade level. Students who are third graders in the School Year 2026-2027 would require promotion/retention recommendations and decisions, based on these requirements, heading into the School Year 2027-2028.

SAT/IEP Teams

- Student Assistance Teams (SAT) or the IEP Team should be utilized for all students, beginning in kindergarten, who are exhibiting difficulty on mathematics and literacy benchmark assessments/screeners.
- If a student is identified with a mathematics or literacy deficiency prior to second grade, SAT or IEP teams should consider conducting an additional SAT meeting at the end of second grade to make the parent/guardian aware of the implications of the Third Grade Success Act for their child if they have consistently received intervention since their initial identification.

Special Education Considerations

IDEA (Individuals with Disabilities Education Act) and West Virginia Board of Education (WVBE) Policy 2419 (Chapter 5, Section 2.J.) Basis of Placement: Placement decisions are made individually for each student.

The services and placement needed by each student must be based on the student's unique needs that result from the student's disability or giftedness, not on the student's category of exceptionality or the availability of placement options, services, staff, or space.

This premise should be adopted for any type of educational decision making for students with disabilities. Disability category is never the basis of educational decisions in the special education field. All decisions are expected to be made on an individual student basis.

In the case of the retention issue discussed in conjunction with the Third Grade Success Act, W. Va. Code §18-2E-10-o, gives clear parameters in making that decision for students with disabilities or potential disabilities, individually. Decisions related to retention should not be based on disability category, as this practice can result in discriminatory practices towards special education students.

Exemption Categories Explained

The recommendation for retention will be made by the classroom teacher, the student assistance team (SAT), and the IEP team (if applicable) based on the student's mastery of the subject matter and preparedness for the next grade level. The following section organizes the exemptions outlined in state code.

Students with Disabilities

- ***Exemption 1 (W. Va. Code §18-2E-10-o-1)*** — A student with disabilities whose Individualized Education Program indicates participation in the statewide alternate summative assessment. Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 1.
- ***Exemption 2 (W. Va. Code §18-2E-10-o-3)*** — A student with disabilities who participates in the statewide summative assessment, has an Individual Education Program or Section 504 plan that reflects that the student has received intensive intervention for more than two years (7 continuous benchmark assessment periods) and still demonstrates a deficiency or who was previously retained in any of the grades kindergarten through grade three, making this third grade retention the second retention. Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 2;
- ***Exemption 3 (W. Va. Code §18-2E-10-o-4)*** — A student who is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant impairment, including dyslexia or dyscalculia, or is a child with a disability if the student's individualized education program team and the student's parent or guardian agree that promotion is appropriate based on the student's Individualized Education Program. Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 3;

English Language Learners

- ***Exemption 4 (W. Va. Code §18-2E-10-o-2)*** — A student identified as an English language learner who has had less than three years instruction in English as a second language. Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 4;

Students Previously Retained

- **Exemption 5 (W. Va. Code §18-2E-10-o-5)** — A student who has received intensive intervention for two or more years, still demonstrates a deficiency, and who was previously retained in any of the grades kindergarten through grade three for a total of two years: Provided, That the student shall continue to receive intensive intervention in grade four. Parents should be notified

that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 5;

Students Who Pass the Assessment

- ***Exemption 6 (W. Va. Code §18-2E-10-o-6)*** — A student who demonstrates an acceptable level of performance on an alternative standardized assessment approved by the state board (the third grade WVGSA – West Virginia General Summative Assessment). Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 6.
- ***Exemption 7 (W. Va. Code §18-2E-10-o-7)*** — A student who attends an extended year learning program following the third grade and has attained proficiency on an alternative standardized assessment approved by the state board (the third grade WVGSA – West Virginia General Summative Assessment). Parents should be notified that the student scored as having minimal understanding of grade level material, but is not recommended for retention based on exemption 7.

Good Cause Exemption

- ***Exemption 8 (W. Va. Code §18-2E-10-o-8)*** — A student may receive a good cause exemption if the parent or guardian submits a request within the deadline set by the county board, and the superintendent, or their designee, determines that the exemption is in the student's best interest. The good cause exemption is intended for special circumstances where promotion may be appropriate even when a student has minimal understanding as reflected on the WVGSA, attended extended year summer learning opportunities, and retook the WVGSA when provided the second opportunity. However, it is not designed to override a teacher's professional judgment, which will include factors beyond assessment (WVGSA) scores, such as a student's overall mastery of content, classroom performance, and readiness for the next grade.

Assessment Guidance

Preparation for the Assessment

Counties and schools should provide students with regular opportunities to build confidence and reduce test anxiety by practicing the habits and strategies they will use during testing. Preparation should be embedded within instruction and should include reading directions carefully, annotating text, monitoring time, eliminating unreasonable answer choices, using available tools appropriately, and responding to a variety of assessment-style questions. Instruction should also help students engage with higher depth-of-knowledge tasks, explain their thinking, use evidence to support responses, and apply strategies independently so they are prepared to demonstrate what they know and can do.

The WVDE offers several non-summative assessment resources in the Cambium platform that teachers may use to obtain student data throughout the year. These resources can help teachers identify student strengths and areas of need, enable teachers to adjust instruction as appropriate, and give students opportunities to become familiar with the testing platform, the item types they may

encounter, and available embedded accessibility and accommodation tools. These non-summative assessment resources include Cambium benchmark and module assessments, Write On with Cambi!, and Test Authoring.

Initial Testing Guidance

Counties and schools should plan to administer the WVGSA Grade 3 ELA writing, ELA reading, and math assessments earlier in the regular testing window so that results can be returned faster and students who might be retained can be identified quickly. The WVDE also recommends that the WVGSA Grade 3 ELA Writing test be administered first in case student responses are routed for hand scoring. Remember that students must take both the ELA Writing and ELA Reading tests to get an overall ELA score that will be used to determine retention.

Summer Retesting

A second administration window for the Grade 3 West Virginia General Summative Assessment (WVGSA) will be provided for students who score in the "Does Not Meet Standard" achievement level during the regular administration and for whom the classroom teacher and Student Assistance Team (SAT) recommend retention. This second opportunity is intended to support final promotion and retention determinations after students have had access to extended year summer learning opportunities and intervention focused on the identified area of need. **During the second window, students will have a single opportunity to retake the WVGSA**.

The statewide second testing window for the Grade 3 retest is expected to occur each year approximately from mid-May through mid-July. Specific dates and administration details will be shared with county test coordinators. Within the statewide window, counties will establish local retesting schedules that align with their summer programming calendars and provide students sufficient opportunity to participate in extended year summer learning opportunities and intervention before retesting occurs.

The WVGSA Grade 3 retest will include the same content area tests as the regular WVGSA:

- ELA Reading
- ELA Writing
- Math

Students who take the Grade 3 retest in ELA must take both the reading and writing tests to get an overall ELA score and achievement level.

Students will need to take only the content area test in which they scored in the "Does Not Meet Standard" achievement level. For example, if a student was in "Does Not Meet Standard" for ELA but not for math, he or she would only need to take the reading and writing tests to obtain an overall ELA score and achievement level. If a student scored in the "Does Not Meet Standard" for both ELA and math, the student will need to take the reading and writing tests, as well as the math test.

All Cambium testing resources and supports will remain available during the second administration window. Counties should ensure that retesting procedures follow established assessment security,

administration, and accessibility requirements as outlined in Policy 2340 and the *Participation Guidelines for West Virginia State Assessments*, including the provision of allowable accommodations for eligible students. During the summer retest administration, the writing component will be autoscored with no hand scoring.

The extended window is designed to accommodate the range of summer school and extended year learning program schedules across counties. Districts should communicate clearly with parents and guardians regarding the student's initial WVGSA performance, the recommendation for retention by the teacher and the SAT team, available summer learning opportunities, the local retesting schedule, and how retesting results will be considered by the district in final promotion or retention decisions.

District Documentation, Records, and Policies

It is essential that districts establish clear systems and procedures to document all promotion and retention decisions related to the changes outlined in the Third Grade Success Act. West Virginia public school districts are strongly encouraged to begin developing and implementing a county-level tracking system.

Effective documentation is critical in the context of the Third Grade Success Act related to promotion and retention policies as it ensures transparency, accountability, and consistency in decision-making. Accurate record-keeping will allow districts to substantiate exemptions, providing a clear trail of evidence for interventions, parent communications, and student progress. Accurate record-keeping allows a district to monitor the effectiveness of reading interventions and to make data-informed decisions regarding student promotion or retention.

Comprehensive documentation protects districts from disputes by maintaining a verifiable record of compliance with state code and policy, thereby supporting educational outcomes and fostering trust among parents, educators, and administrators.

School districts must maintain comprehensive documentation, including:

- Benchmark and screener scores
- Detailed intervention plans and outcomes
- Records of after-school and summer program participation
- Summer School or Extended Year Summer Learning invitation
- Tutoring or Extended Day invitation
- Records of parent/guardian communication and engagement
- Copies of parent communication
- Documentation of school/county plans and resources for supporting students, teachers, and families
- Student's IEP
- Student's 504
- Recommendations for retention
- Final retention/promotion decisions
- Exemption categories employed for each student not retained
- Good cause exemption requests

If a student changes districts, student records related to the context of the Third Grade Success Act should be shared with the new district.

Retention Data Collection

To support statewide monitoring and implementation of the Third Grade Success Act, counties will report retention and promotion data through the October data collection process. A screen will be added to the October collection application in the fall of 2027 that will **display** to the county the total number of third-grade students in the county during the previous school year, the number of third-grade students who exited the county, and the number of students who could have been retained based on the Grade 3 West Virginia General Summative Assessment (WVGSA) score.

This screen will be linked to a survey that requires counties to provide aggregate counts for students who were retained or promoted following the required review process. Counties will report the number of students retained in third grade, the number of students promoted to fourth grade, and the number of students promoted under each of the eight exemption categories. The survey will be due on the final day of the October data collection window.

The survey will collect the following information:

- Total number of third-grade students in the county during the previous school year
- Number of third-grade students who exited the county
- Number of students who could have been retained based on the Grade 3 WVGSA score
- Number of students retained in third grade
- Number of students promoted to fourth grade
- Number of students promoted under Exemption 1
- Number of students promoted under Exemption 2
- Number of students promoted under Exemption 3
- Number of students promoted under Exemption 4
- Number of students promoted under Exemption 5
- Number of students promoted under Exemption 6
- Number of students promoted under Exemption 7
- Number of students promoted under Exemption 8
- Number of good cause exemption requests submitted
- Number of good cause exemption requests approved
- Number of good cause exemption requests denied
- County school district assurance that documentation supporting retention, promotion, and exemption decisions has been maintained

West Virginia Tiered System of Support (WVTSS)



The West Virginia Department of Education (WVDE) is committed to helping every student succeed by supporting not only academics, but also behavior and attendance. We believe all students can learn and thrive when schools remove barriers and provide intentional support. Consistent with West Virginia Board of Education (WVBE) Policies 2510, 4373, and 4110, schools are encouraged to create learning environments tailored to each student's needs, interests, and strengths. This occurs naturally when educators build strong relationships, provide high-quality instruction, and use evidence-based strategies. Families, schools, community partners, and the WVDE all share responsibility in making this happen.

What is the West Virginia Tiered System of Support?

The West Virginia Tiered System of Support (WVTSS) is a framework that addresses the whole student across all domains: academics, behavior, and attendance. Student mental health and general wellbeing are embedded within each domain, as well as explicitly addressed through the work of student support teams. The current WVTSS model is designed to be practical and easy to use for educators of all experience levels.

Tiered System of Support for Academics, Behavior, and Attendance

Tier 3 INTENSIVE	Students that do not demonstrate academic, behavior, and/or attendance growth from the targeted tier may move to the intensive tier of support. The intensive tier includes but is not limited to longer and more frequent sessions and progress monitoring with individual attention. Students receiving support from Tier 3 should be simultaneously receiving universal supports.
Tier 2 TARGETED	If students need more academic, behavior, and/or attendance support than the universal tier provides, they may move to the second tier of support. This targeted tier includes but is not limited to more in-depth scaffolding, skill-building, and small group interventions. Students receiving support from Tier 2 should be simultaneously receiving universal supports.
Tier 1 UNIVERSAL	Tier 1 contains universal supports for all Pre-K through twelfth grade students. This foundation is achieved through high-quality, evidence-based instruction and support for academics, behavior, and attendance.

Communicating with Parents: Supporting the Whole Child

The following factors may be helpful to consider during conversations with parents about retention and student proficiency; recognizing that academic success is closely connected to a student's health, well-being, and overall life circumstances.

Why Attendance Matters: Attendance plays a critical role in student success, as consistent participation in class ensures that students stay engaged with the curriculum and build on prior learning. When students miss too much instructional time, they are at greater risk of falling behind academically. By maintaining regular attendance, students have the best opportunity to master grade-level content and progress with their peers.

High Quality Early Learning Makes a Difference: High-quality early learning programs help children develop important skills and build relationships with teachers. These programs support learning and often lead to better performance in school and fewer students being held back. In fact, children in strong early programs tend to do better in reading and math through at least fifth grade.

Reading Together Matters: Children who read regularly with a parent or caregiver often have better language and reading skills. Reading together helps prepare kids for school and builds strong learning habits.

The Power of Early Help: Many children with learning challenges, especially with reading, benefit from early support. Language delays are common in young children and can make school harder later on. Getting help early can make a big difference in a child's learning journey.

Keep Learning Over the Summer: When school's out for summer, kids can lose some of what they learned, especially in math. Children from families with fewer resources tend to lose more ground, while others may even make small gains. Keeping kids engaged with reading and learning over the summer helps them stay on track.

Emotional and Social Growth: A child's behavior, attendance, and school performance in the early grades can hint at future struggles. Being retained can sometimes lower a child's confidence and lead to frustration or a dislike of school. Supporting children early on helps them stay on track both emotionally and academically.

Family Stability and Support: When families move a lot or face employment or money struggles, it can make school harder for kids. These situations can lead to behavior problems, trouble with learning, or even dropping out later on. Having a stable home life and strong family support is very important for student success.

Daily Routines that Support Learning: Establishing simple, consistent routines at home can make a big difference in a child's school success. Talking with your child each day about schoolwork, friends, and what they are learning builds connection and shows that education matters. Setting aside a regular time and quiet space for homework helps children stay organized and finish assignments on time. These daily habits not only keep schoolwork on track but also teach responsibility, time management, and problem-solving skills that last a lifetime.

Communicating with Parents: Key Terms Explained

Benchmark: A benchmark assessment is a test administered to students in Grades K-3 within the first 30 days of the school year, with follow-up assessments at mid-year and year-end. These assessments are designed to identify student difficulties in reading and/or mathematics and streamline necessary supports to help students achieve proficiency in performing at grade level.

Dyscalculia: A learning difference that makes it hard for children to understand numbers and math. Students with dyscalculia may have trouble with basic math facts, counting, telling time, or understanding measurements, even with good instruction and effort.

Dyslexia: A brain-based learning difference that affects a person's ability to read, write, spell, and process language. It is not related to intelligence or effort and affects about 5% of students.

Extended Day Opportunities: Programs offered before or after the regular school day that give students extra time for learning, intervention, enrichment, and support, especially in reading and math.

Extended Year Programs: Learning programs that go beyond the traditional school year, often during the summer, and include instruction from certified teachers. These programs are designed to help students who need extra support to stay on track, catch up, or strengthen their skills, especially in reading and math. They can also help prevent learning loss during long breaks.

Family Engagement: A two-way partnership between families and schools that builds trust, honors each family's culture and strengths, and works together to help students succeed.

Good Cause Exemptions: Under specific circumstances, students who do not meet the required WVGSA score may advance to the next grade if a parent requests the exception, consistent with all county policies and approved by the county superintendent.

Integrated Student Supports: A school-wide approach that helps meet both learning and life needs of students. This support can include tutoring, mental health counseling, medical care, or help with food and housing, so students can focus on learning and growing.

Intervention: Extra help or support given to a student who is struggling with reading, math, behavior, or other areas of learning. Interventions are designed to meet the students' specific needs and are often provided in small groups or one-on-one. The goal is to help the student catch up, build confidence, and succeed in school.

Minimal Understanding: Achieving a score on the English language arts (ELA) or Mathematics portion (or both ELA and Mathematics) of the Grade 3 West Virginia General Summative Assessment (WVGSA) in the "does not meet standard" range.

MTSS (Multi-tiered System of Support): A comprehensive, data-driven framework providing academic, behavioral, and attendance supports across three tiers:

- Tier I: Universal support for all students

- Tier II: Targeted support for some students
- Tier III: Intensive support for a few students

Parent Notification: A formal way that schools share important information with parents or guardians about their child's learning, progress, or services. This communication can include updates about assessments, placement in special programs, extra support being offered, or changes that may affect a student's education. Notifications may be sent by letter, email, phone call, or through school communication platforms.

Appendices A and *B* contain templates for parent notification letters to support clear and consistent communication with families.

Promotion and Retention: Promotion means moving a student up to the next grade level, while retention means having them repeat a grade. These decisions are usually based on how well a student is doing in school, how old they are, and how they are doing socially and emotionally. Starting in the 2026–27 school year, West Virginia will require some third-grade students to repeat the grade if they aren't reading or doing math at grade level.

Screener: A checkpoint, or assessment, used to see how well a student is doing with early reading (literacy) or math (numeracy) skills. Screeners help teachers identify students who may need extra help or support, often before bigger problems arise. They are not used to determine grades but help guide teaching and early intervention.

Third Grade Success Act: West Virginia law (§182E10) that establishes a multi-tiered support system for early literacy and numeracy from kindergarten through third grade, including benchmark assessments, implementation of best practices with Science of Reading and numeracy instruction, classroom aides, summer/afterschool supports, mandatory parent notifications, teacher training, and third-grade retention (starting in 2026–27) with defined exemptions.

Sample Implementation Timeline for Districts

January 2026 – After the middle of the year (MOY) benchmark/screener is given, districts should send information to all parents of Grade 2 students regarding the Third Grade Success Act and the potential retention impact on their child the following school year. (2026-2027)

Spring 2026 – Districts should begin development of local policy for notification related to Third Grade Success Act retention and a district-wide process for good cause exemptions. At minimum, a good cause exemption should include:

- Date of parent notification of retention recommendation (example: 5 days after WVGSA is administered)
- SAT meeting regarding retention to explain options
    - » *Summer School/Extended Year Summer Learning*
    - » *Retesting*
- Provide a form and deadlines for good cause exemption request
- Timeline for good cause exemption to be reviewed and approved/declined.

Summer 2026 – Districts should finalize and approve local district policy for retention and good cause exemptions related to the Third Grade Success Act.

Fall 2026 – Districts should provide all Grade 3 parents with results of beginning of the year (BOY) benchmark and information regarding retention for third-grade students as part of the Third Grade Success Act.

Spring 2027 – Districts should initiate retention protocols and district-level policy related to the Third Grade Success Act.

Appendices

Appendix A: Sample Parent Letter 1

Dear Parent/Guardian,

When the West Virginia Legislature passed House Bill 3035 on March 11, 2023 (2023 Regular Session), one of the requirements is that the parent or guardian of a child in Grades K-3 must be informed when a student has been identified as having a deficiency in reading and/or math (Ref. HB3035, p. 5.)

Please note, it is very early in the school year and there is still time for your child to improve their proficiency. Students, teachers, and staff will continue to work together to improve your student's reading and math proficiency during the school year. If your child does not show improvement in math or reading or there are other concerns, a teacher will reach out to you to schedule a meeting with the Student Assistance Team (SAT). All county schools use the Multi-Tiered System of Support to provide differentiated and individualized instruction to our students with additional supports provided by intervention teachers, Title 1 Teachers, Early Childhood Classroom Assistant Teachers, and others as needed.

We are informing you that your child performed below grade level or had an identified deficiency according to the assessment used.

School	
Grade	____ K ____ 1st ____ 2nd ____ 3rd
Teacher	
Subject(s) that the student was identified as being below grade level or having a deficiency:	_____ Math _____ Reading
Assessment(s) where your child scored below the cut-score.	_____ iReady Math _____ Renaissance/STAR Math _____ Renaissance/ STAR Reading _____ Amplify BOOST/ Reading _____ mClass with DIBELS 8 (Amplify)
Research-based reading and/or mathematics interventions and/or supplemental instructional services and supports that will be used to address the deficiencies	
Strategies the parent or guardian may use at home to help their child succeed in the identified area of math or reading.	

According to West Virginia House Bill 3035, if a "child's reading or mathematics deficiency is not corrected by the end of grade three, the child may not be promoted to grade four unless an exemption is met..."

Currently, there is no action required on your part; however, you may contact your child's teacher or principal with any questions. If there continues to be a concern with your child's progress, a teacher or principal will reach out to you.

Appendix B: Sample Parent Letter 2

Date: _____

Dear Parent or Guardian of _____,

Kindergarten through third grade is a vital time for ensuring students are on track for grade level success in reading and mathematics. West Virginia House Bill 3035 (2023 Regular Session), also known as the "Third Grade Success Act," mandates schools to administer reading and mathematics benchmark assessments to all students in Grades K through three. These benchmarks will identify student difficulties in reading and/or mathematics and streamline necessary supports students need to perform on grade level.

Attached are the results from the most recent benchmark assessment taken by your student. Currently your student is having trouble with:

___ Reading
___ Mathematics

Below are some of the proposed interventions the school will provide your student either during the school day or as part of an after-school program. If you would like to schedule a meeting to discuss these in person or via phone, please contact the school at _____ to make an appointment.

The following interventions are recommended for your student:
___ individual/small group reading and/or mathematics instruction.
___ additional intervention time dedicated to reading and/or mathematics instruction.
___ individualized reading and/or mathematics instruction based on your student's assessment results.
___ additional instructional time with another reading or mathematics teacher
___ participation in an after-school reading and/or mathematics program.
___ other

The attached report identifies specific skills your student needs extra support with to perform at grade level proficiency in reading and/or math. We have also included information as to how you can assist your student at home to be successful in reading and/or mathematics. When families and schools work together to help children learn, everyone achieves.

In addition to the information attached to this letter, you will receive updates every _____ weeks detailing your student's progress and success.

Please sign, date, and return as soon as possible the form found behind this letter indicating your choice regarding the support plan for your student.

The Third Grade Success Act states that students who are still in need of intervention at the end of the school year shall attend literacy and numeracy classes during the summer if recommended by the

Student Assistance Team (SAT) or their classroom teacher.
Beginning with the 2026-2027 school year, if a third-grade student scores in the “does not meet standard” in reading or mathematics on the West Virginia General Summative Assessment (WVGSA) administered at the end of the school year, the student will not be promoted to fourth grade unless the student meets one or more of the exceptions found in House Bill 3035.

If you have any questions, please contact the school at _____.

Sincerely,

Principal _____

Please sign and return to school by: _____

Student’s name _____ WVEIS number (if known) _____

Check ONE of the following:

___ Yes, I agree with the proposed reading and/or mathematics improvement plan for my student, and I give permission to implement the plan.

___ I would like to schedule a meeting to discuss revisions to the proposed reading and/or mathematics plan from my student before the plan is implemented.

___ No, I do not want my child to receive extra support in reading and/or mathematics.

Individual Intervention Plan (Initial Plan)

Mountaineer County Schools

Student: _____ School: _____ Grade (circle): K 1 2 3 4

Teacher: _____ Plan Start Date: _____ Review Date: _____

This student has a: ____ Literacy/Reading Plan ____ Numeracy/Mathematics Plan ____ Literacy/Reading and Numeracy/Mathematics Plan

Place a checkmark by the instruction, intervention, and/or supports the student shall receive as part of the individual intervention plan.

	Literacy/Reading Instruction, Intervention, Supports	**Numeracy/Mathematics Instruction, Intervention, Supports**
Universal	Core reading program Differentiated supports Universal Design for Learning	Core math program Differentiated supports Universal Design for Learning
Targeted	List all the programs/supports available at the school for targeted intervention/support:	List all the programs/supports available at the school for targeted intervention/support:
Intensive	List the available reading intervention programs and other types of intensive support that the school has available to use for supporting students at greatest risk for reading failure or dyslexia.	List the available reading intervention programs and other types of intensive support that the school has available to use for supporting students at greatest risk for supporting students at greatest risk for Mathematics failure or dyscalculia.

Universal instruction and support occur during core instruction. Targeted and/or intensive intervention will occur _____ minutes per week.

Progress monitoring will occur every: ____ 2-3 weeks (Targeted) ____ 1-2 weeks (Intensive) ____ Other _____

Progress monitoring tool(s) and skill(s) measured (Literacy): _____

Progress monitoring tool(s) and skill(s) measured (Numeracy): _____

Literacy Goal (if applicable): By (date) _____ , (student) _____ will (desired outcome) _____

Numeracy Goal (if applicable): By (date) _____ , (student) _____ will (desired outcome) _____

Principal*: _____ Parent/Guardian*: _____

Teacher*: _____ Parent/Guardian: _____

Other: _____ Other: _____

Individual Intervention Plan (Review)

Mountaineer County Schools

Student: _____ School: _____ Grade (circle): K 1 2 3 4

Teacher: _____ Current Review Date: _____ Review Date: _____

This student has a: ____ Literacy/Reading Plan ____ Numeracy/Mathematics Plan ____ Literacy/Reading and Numeracy/Mathematics Plan

Summary of progress monitoring data (please attach supporting documents, such as tiered intervention logs, progress monitoring reports, etc.).

Has the student met the established goal?

☐ Yes. Move to "Follow-Up Action." ☐ No, but they are making adequate progress. Continue current intervention(s), and move to "Follow-Up Action."

☐ No, and they are not making adequate progress. *Revise individual intervention plan.*

Follow-Up Action:

☐ Present goal(s) met or exceeded and student likely no longer needs an individual intervention plan.

☐ Present goal(s) met or exceeded but student likely needs continued support to maintain progress.

☐ Present goal(s) not met. Continue initial or revised individual intervention plan and review progress by (date) _____.

☐ Refer to Student Assistance Team (SAT) for further problem solving.

Principal*: _____ Parent/Guardian*: _____

Teacher*: _____ Parent/Guardian: _____

Other: _____ Other: _____

Appendix D: Version History

It is anticipated that as reporting requirements evolve under the Third Grade Success Act, additional details will be incorporated into this guidance document. When updates occur, the version history will be revised to reflect the changes and will include a concise summary describing each update.

Version 1.0 September 19, 2025

Version 2.0 November 10, 2025

Version 3.0 July 21, 2026

Updates made:

- Added the Assessment Guidance Section before the District Documentation, Records, and Policies section which starts on page 9.
- Added the Retention Data Collection section after the District Documentation, Records, and Policies section on page 12.
- Updated WVTSS Section on page 13.

Notes

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Michele L. Blatt
West Virginia Superintendent of Schools

wvde.us