



Parental Option For Students To Repeat Grades Or Courses

The 87th Texas Legislature, Regular Session passed Senate Bill (SB) 1697, which amends state law to allow parents and guardians to elect for a student to repeat a grade or retake a high school course, per Texas Education Code (TEC) §28.02124. The legislation, which went into effect on June 16, 2021, gives parents or guardians the right to opt for their child to –

- *repeat prekindergarten;*
- *enroll in prekindergarten if the child was eligible to enroll in prekindergarten in the previous school year, under TEC, §29.153(b), and has not yet enrolled in kindergarten;*
- *repeat kindergarten;*
- *enroll in kindergarten if the child would have enrolled in kindergarten in the previous school year and has not yet enrolled in first grade*; and*
- *for grades one through three, repeat the grade the student was enrolled in the previous school year.*

According to January 2021 enrollment data, roughly 24,000 kindergarten-aged students did not enroll in kindergarten during the 2020-21 school year.

For the 2021-2022 school year only, parents or guardians have the right to opt for their child—

- *for grades four through eight, repeat the grade the student was enrolled in during the 2020-2021 school year; and*
- *for courses taken for high school credit, repeat any course in which the student was enrolled during the 2020-2021 school year.*

Information for parents related to these options is available on two TEA webpages at:

- <https://tea.texas.gov/repeatgrade>
- <https://tea.texas.gov/restartkinder>

Parents or guardians are required to notify the school district or charter school in writing if they elect for their child to retake a grade level or course. A school district or charter school may disagree with a parent who elects to have their child retake a grade level or course. If a district or charter school disagrees, the district or charter school must convene a retention committee and meet with the parent or guardian to discuss the proposed retention. After the parent/ guardian has participated in the retention committee meeting, the parent or guardian will decide if the student will be retained. The district or charter school is required to abide by the parent's or guardian's decision.

District and charter school staff should consider designating specific staff members, as appropriate, to serve as points of contact for parents or guardians considering this option. Answers to frequently asked questions are posted on the TEA website.

If you have additional questions regarding this correspondence, please contact the Curriculum Standards and Student Support Division at (512) 463-9581 or curriculum@tea.texas.gov.