



Senate Bill 1697 Frequently Asked Questions

July 15, 2021

1. When does Senate Bill (SB) 1697 go into effect?

SB 1697 became effective on June 15, 2021.

2. What does SB 1697 do?

SB 1697 established new Texas Education Code (TEC), §28.02124, Parental Option for Student Retention, which allows parents or guardians to opt to have their child—

- repeat prekindergarten;
- enroll in prekindergarten if the child was eligible to enroll in prekindergarten under TEC (§28.02123 (b)) and has not yet enrolled in prekindergarten during the 2020-2021 school year;
- repeat kindergarten;
- enroll in kindergarten if the child would have enrolled in kindergarten during the 2020-2021 school year and has not yet enrolled in first grade;
- for grades one through three, repeat the grade the student was enrolled in during the 2020-2021 school year;
- 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 the student was enrolled in during the 2020-2021 school year.

3. How do parents or guardians elect for their child to retake a grade or course?

Parents or guardians are required to notify the school district or charter school in writing of their election to have their child retake a grade or course under TEC (§28.02124 (b)) after a parent has made a request?

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 retention.

The retention committee will discuss the merits of and concerns about advancement or retention and review and consider the following:

- Student's grade in each subject or course
- Results of any formative or summative assessments administered to the student
- Any other available academic information to determine the student's academic readiness for the next grade or a given course

After the parent/guardian has participated in the retention committee meeting, the parent 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.

5. Who is required to serve on a retention committee?

The retention committee must be comprised of the following:

- Principal or /Type ses6 -1C /P k Tw 35Tc 0.0 0 Tw 0.7(o)-7.1 (in)5.7 (t)102.0 Tw 0. BDC 0Td(r)-6.7r7?

The provisions of the legislation that permit parents to elect for students enrolled in prekindergarten through grade 3 to

A charter school may choose to leave some seats unfilled after the lottery is conducted to ensure that seats are available for any possible retention requests.