Sec. 1. PARENTAL ELECTION

Subject to Section 2, a parent or guardian may elect for a student to repeat certain courses and grades as set forth below. An election made by a parent or guardian under this Section shall be made in writing to Texas Leadership Public Schools (TLPS).

Tex. Educ. Code § 28.02124(a)-(b).

a) *Elementary and Middle School Students*

A parent or guardian may elect for a student to:

1. repeat prekindergarten;
2. enroll in prekindergarten, if the student would have been eligible to enroll in prekindergarten during the previous school year under Texas Education Code § 29.153(b) and the student has not yet enrolled in kindergarten;
3. repeat kindergarten;
4. enroll in kindergarten, if the student would have been eligible to enroll in kindergarten in the previous school year and has not yet enrolled in first grade; or
5. for grades one through eight, repeat the grade in which the student was enrolled during the previous school year.

Tex. Educ. Code § 28.02124(a).

b) *High School Credit Courses*

For courses taken for high school credit, a parent or guardian may elect for a student to repeat any course in which the student was enrolled in during the previous school year. This option is not available for students if (TLPS) determines the student has met all of the requirements for graduation.

Tex. Educ. Code § 28.02124(a-1).

Sec. 2. RETENTION COMMITTEE

If TLPS disagrees with a parent or guardian's election for a student to repeat a grade or retake a course, TLPS must convene a retention committee and meet with the parent to discuss retention.

a) *Meeting Format*

The retention committee meeting shall be conducted in person unless an alternative means is agreeable to the parent or guardian. A student may not be retained for a grade or retake a course if the parent or guardian does not meet with the retention committee.

Tex. Educ. Code § 28.02124(c).

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b) *Committee Members*

The retention committee shall be composed of:

1. the principal or the principal's designee;
2. student's parent or guardian;
3. the teacher who taught the grade or course for which the parent wants the student retained or repeated; and
4. additional teachers at the discretion of the principal, if the student will potentially repeat multiple courses.

Tex. Educ. Code § 28.02124(d).

c) *Meeting Requirements*

During the meeting, the retention committee shall:

1. discuss the merits of and concerns with advancement and retention; and
2. review and consider the student's grade in each subject or course, the results of any formative or summative assessments administered to the student, and any other available academic information to determine the student's academic readiness for the next grade or a given course.

Tex. Educ. Code § 28.02124(e).

d) *Retention Decision*

After the parent or guardian participates in the retention committee meeting, the parent or guardian shall decide whether the student should be retained or retake a grade or course. TLPS must abide by the decision of the parent or guardian.

Tex. Educ. Code § 28.02124(f).

Retention under this policy shall be considered the same as retention of a student by TLPS.

Tex. Educ. Code § 28.02124(h).

e) *Repeating a Grade or Course for which Credit Has Been Earned*

A Student who receives a passing grade or who earns credit for a high school course shall retain TLPS's original assignment of a grade or award of credit when a student is retained under this policy, unless TLPS adopts a policy to a different effect.

Tex. Educ. Code § 28.02124(g).

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Sec. 3. TRANSFER OF RIGHTS

The rights of a parent or guardian under Texas Education Code § 28.02124 and this policy transfer to a student if the student is 18 years of age or older or has had the disabilities of a minor removed, unless the student is under a form of guardianship imposed by law or court order that continues after the student turns 18 years of age.

Tex. Educ. Code § 28.02124(i).

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