

SENATE BILL 1688

By Lowe

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to student retention.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) A parent or guardian of a student enrolled in any of the grades kindergarten through twelve (K-12) may elect to retain the parent's or guardian's student in the student's current grade level if the student has a documented academic or behavioral delay and the parent or guardian believes that retention may benefit the student. If a parent or guardian elects to retain the parent's or guardian's student in the student's current grade level pursuant to this subsection (a), then, subject to subsection (b), the LEA or public charter school in which the student is enrolled shall retain the student in the student's current grade level at the parent's or guardian's request.

(b) A student cannot be retained in a grade level more than once.

(c) The state board of education shall promulgate rules to establish the requirements for the documentation required to establish an academic or behavioral delay for purposes of this section. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2024, the public welfare requiring it, and applies to the 2024-2025 school year and each school year thereafter.