



### COMPLAINT FORM- LEVEL THREE

To appeal a Level Two decision or the lack of a timely response after a Level Two conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in FNG (LOCAL). Appeals will be heard in accordance with FNG (LEGAL) and (LOCAL) with any exceptions outlined therein.

PARENT NAME: Rob & Amanda Adams  
 STUDENT'S NAME: Robert "Brody" Adams  
 ADDRESS: 209 Bluestem Lane  
Aledo TX 76008  
 TELEPHONE NO: 817 944-4888  
 CAMPUS: McAnally  
 PRINCIPAL: Zach Tarrant

To whom did you present your complaint at Level Two? Lynn McKinney

Date of conference: August <sup>22</sup>, 2017

Date you received a response to the Level Two conference: August 25, 2017

Please explain specifically how you disagree with the outcome at Level Two.  
We truly feel that the best possible scenario for Brody  
would be retention. We disagree that promoting  
Brody would benefit him.

Please describe the outcome or remedy you seek for this complaint. (As presented in Level One form)  
We wish that Brody be retained in the 5th grade.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Do you want the Board to hear this appeal in open session?  Yes  No

*(If so, the Board will consider your request; however, you may not have a legal right under the Texas Open Meetings Act to require a meeting in open session)*

Attach a copy of your original complaint and any documentation submitted at Level One and a copy of your Level Two appeal notice.

Please also attach a copy of the Level Two response being appealed, if applicable.

Parent signature: Amanda Helms [Signature]

If you will be represented by someone other than yourself, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of filing: \_\_\_\_\_ Date Received by District: Monday, Aug 28, 2017  
[Signature]

**Complainant, please note:**

Please ensure you have completed this form entirely before submitting. Forms lacking complete information may not be able to be addressed within the timeline constraints. Any additional evidence or information may be attached to this form.

All evidence may be presented no later than the Level One conference. Please keep a copy of this completed form and any supporting documentation for your records.



## ALEDO INDEPENDENT SCHOOL DISTRICT

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August 25, 2017

Robert and Amanda Adams  
209 Blue Stem  
Aledo, Texas 76008

Dear Mr. and Mrs. Adams,

Thank you for bringing your concerns forward in the Level 1 Hearing (see attachment #1) you attended with Mr. Tarrant and his staff on August 4, 2017 and the Level 2 Hearing (see attachment #2) you attended with Mr. Tarrant and myself on August 22, 2017.

Your Level 2 paperwork states that you disagree with the Level 1 outcome because:

*You seek to retain your son, Brody Adams in the 5<sup>th</sup> grade.*

A retention meeting (served as the Level 1 Hearing) was held on August 4<sup>th</sup> with McAnally administration and staff. At this meeting your request to retain Brody was discussed. This was not the first time you had discussed this option with McAnally staff. After a thorough review of Brody's school history; including attendance, discipline, academic achievement, social/emotional factors, as well as consulting Aledo ISD Board Policy, Texas Education Code, and the Texas Education Agency Curriculum Division (see attachments #3, #4, and #5) concerning promotion/retention, it was determined unanimously by the McAnally staff members that it is in Brody's best interest to be promoted to Grade 6 for the 2017-2018 school year. You stated your disagreement with this decision and Mr. Tarrant shared with you the appeal process.

The remedy you requested for our Level 2 Hearing is that Brody be retained in the 5<sup>th</sup> grade and returned to an elementary campus for the coming school year. Due to my review of the information considered in this decision I am unable to grant the remedy you seek.

This decision is based on the following information:

1. We all agree that Brody has mastered the 5<sup>th</sup> grade academic material. During our Level 2 Hearing, you and your wife shared he had his best year of school ever as a 5<sup>th</sup> grader at McAnally during 2016-2017. This academic success is evidenced by his lowest cumulative average being a 94 (see attachment #6), STAAR 5<sup>th</sup> grade Math he scored a perfect 100 and on the STAAR 5<sup>th</sup> grade ELA and Science he only missed one question, and earned the distinction of

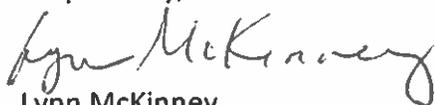
“masters the grade level” in all three areas (see attachment #7). It is a most unusual circumstance to have a parental request to retain a student against the unanimous recommendations of every educator who has taught the child during the school year and reported exemplary academic achievement.

2. I spoke with all the teachers and administrators that worked with Brody each day during the past school year. All shared that in their professional opinion retention would be a mistake for Brody. They all believe that misbehavior would become a significant factor. In our meeting Mr. Tarrant shared, and you agreed, there had been discipline issues last year (see attachment #8). In addition, you shared that the private school Brody attended for 4<sup>th</sup> grade in 2014-2015 did not let him finish the year due to behavior issues and that he was not allowed to attend classes at TCA beginning in late April. There is significant concern that Brody’s behavior as a twelve year old (September 2017) in a class of ten year olds will not be conducive to a productive learning environment.
3. During the 2015-2016 school year, you shared that Brody attended a non-traditional, non-graded private school. This would have been Brody’s first 5<sup>th</sup> grade year. You enrolled Brody at McAnally in August 2016 for the 2016-2017 school year and per Aledo ISD Board Policy FD (LOCAL) (see attachment #9) many factors were considered to determine his grade placement. He was given placement tests and scored high enough to be placed in the 6<sup>th</sup> grade in the fall of 2016. However, based upon your discussion in August 2016 and parental request with the McAnally counselor, Ms. Huffman, Brody was allowed to begin his public school education as a 5<sup>th</sup> grade student. As previously stated, he had an exemplary school year.
4. Mr. Tarrant has shared numerous ideas and plans with you concerning Brody’s upcoming 6<sup>th</sup> grade year at McAnally to address your concerns for Brody’s growth in the areas of independence, leadership ability, maturity, and social confidence. This includes participation in leadership opportunities such as Student Council. The assignment of Brody to a strong team and meeting with those teachers to discuss a personalized plan to assist building these skills with Brody. The campus has recently completed Capturing Kids Hearts training which is becoming a school wide philosophy which will complement and address your social/emotional development concerns for your son. You and your wife repeatedly stated the respect and admiration you have for the McAnally staff and in particular Mr. Tarrant. The communication I observed during the Level 2 meeting was open, honest, and based on mutual trust and respect. What a wonderful foundation to continue to work from as a team serving the best interests of Brody as we help him grow and develop in your areas of concern.
5. To place a child in an environment that is adult driven, such as an elementary campus that serves Pre-K through Grade 5, rather than an environment that is focusing on learning self-regulation and responsibility while preparing students to problem solve social relationships with age appropriate peers would be a disservice to your son. The McAnally staff is not just unanimous in this belief, they are adamant that it would be detrimental to Brody.

Based upon my review of the information presented, policy guidance, and most importantly the unanimous recommendations of our professional educators that worked with your son directly this past year, I am unable to grant the 5<sup>th</sup> grade retention that you seek for your son. Thank you for bringing your concerns forward through the appeal process. Your courtesy during the hearings was appreciated. As the Level 2 Hearing officer for the District for many years now, this is the first situation I have encountered where the staff believes so strongly that granting the remedy requested by the parent would be harmful to the child and very possibly other students both in the present and the future.

You may appeal my decision at Level 2 to the Aledo ISD School Board which would serve as the Level 3 and final appeal. I have attached the Level 3 paperwork for your convenience (see attachment #10). If you decide to appeal to Level 3 please return the completed paperwork to me and our office will work on getting a board meeting scheduled for the appeal.

Respectfully,

A handwritten signature in cursive script that reads "Lynn McKinney".

Lynn McKinney  
Deputy Superintendent  
817-441-8327

Exhibit B

Consideration of Student Retention – Social/Other  
{Campus Name}  
{Current school year}

Student Name: Robert Brady Adams Grade: \_\_\_\_\_

Parent/Guardian Name: Rob & Amanda Adams

Teacher: \_\_\_\_\_ Date of Initial Consideration for Retention: 3/2017

Retention consideration initiated by:

Classroom Teacher  Parent  Other: \_\_\_\_\_

Please respond to the following questions:

7. Has the student been previously retained?  Yes  No If yes, list grades: \* Parent refers to previous school before

8. Is the student receiving Special Education services?  Yes  No \* School refers req. (Legacy hldr.) doc.  
a. Identified disability: \_\_\_\_\_

9. Is the student receiving 504 services?  Yes  No  
a. Identified disability: \_\_\_\_\_

10. Is the student receiving ESL services?  Yes  No

11. Is the student receiving RTI services?  Yes  No

12. Is the student in compliance with the District attendance policy?  Yes  No 2.T.

I understand that my child has/will meet the promotion requirements outlined in EIA(LOCAL) for the \_\_\_\_\_ - \_\_\_\_\_ school year. Even though my child will meet all promotion requirements, I still wish to retain my child in grade \_\_\_\_\_ based on the following reason(s): developing/

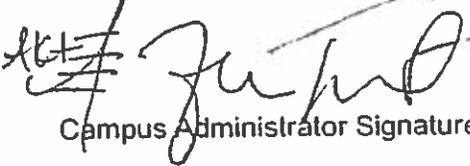
- 1) maturity social - difficulty maintaining relationships
- 2) maturity emotional - reacts poorly to negative situations often
- 3) Lacks the responsibility to complete class room work Group frequent
- 4) Lacks organization to prioritize tasks/home work during school
- 5) often felt "overloaded" last year we often were up after 12:00 working.
- 6) Lack of confidence in his ability to complete

projects and routinely came to us for suggestions and help. (over)

Exhibit A

I understand that retaining my child in his/her current grade level will result in my child being identified as At-risk for the remainder of his/her academic career in Texas Public Schools.

  
Parent/Guardian Signature  
Date 8/4/17

  
Campus Administrator Signature  
Date 8/4/17

Original copies to be placed in cumulative folder.

Brody socially is much more compatible with his younger friends. He enjoys dressing in costumes, playing with legos and action figures. He often plays "make believe" and typically acts & plays like a younger child.

By holding Brody back we believe that we will give him the best possible scenario in which to succeed. He has spent nearly his entire academic career "behind the 8 ball" with older children and we feel that this has stifled his development significantly. We are simply trying to give back to Brody that chance for social

and emotional success.

Exhibit B

Consideration of Student Retention

Required committee members include campus administrator, classroom teacher, parent/guardian, and other members as determined by campus administrator.

Committee Members:		Recommendation:	
Name / Signature	Position	Promotion	Retention
Zach Terrant / <i>Zach Terrant</i>	Principal	✓	
Holly Elgin / <i>Holly Elgin</i>	Asst. Principal	✓	
Della Reed / <i>Della Reed</i>	Math teacher	✓	
Foris Adams / <i>Foris Adams</i>	Father		✓
Amanda Adams / <i>Amanda Adams</i>	Mother		✓

Upon entering first grade and beyond, I understand that retaining my child in his/her current grade level will result in my child being identified as At-risk for the remainder of his/her academic career in Texas Public Schools.

*Foris Adams*  
Parent/Guardian Signature  
*Zach Terrant*  
Administrator Signature

8/4/17 Amanda Adams 8/4/17  
Date  
8-4-17  
Date

Original documents are to be placed in the student's cumulative folder.

Rec'd 8/15/17  
4:05pm



### COMPLAINT FORM - LEVEL TWO

To appeal a Level One decision or the lack of a timely response after a Level One conference at the campus, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in board policy FNG (LOCAL). Appeals will be heard in accordance with FNG (LEGAL) and (LOCAL), with any exceptions outlined therein.

PARENT NAME: Robert Adams

STUDENT'S NAME: Robert Brady Adams

ADDRESS: 209 Blue Stem Alado TX 76008

TELEPHONE NO: 817 996-4848 fax 817 941 4528 / home

CAMPUS: McAnally / Cooper hornedfrog76@gmail.com

PRINCIPAL: Mr. Tarrant

To whom did you present your complaint at Level One Mr. Tarrant, Ms. Elgin, & Ms. Read  
(A Level Two appeal cannot take place without a decision from the campus at Level One)

Date of conference: 8/4/17

Date you received a response to the Level One conference: 8/4/17

Please explain specifically how you disagree with the outcome at Level One:  
We seek to retain our son, Brady Adams in the 5<sup>th</sup> grade.

Please describe the outcome or remedy you seek for this complaint. (Same as presented in Level I form)

We wish that Brady be retained in the 5<sup>th</sup> grade.

Please attach a copy of your original complaint and any documentation submitted at Level One. Please also attach a copy of the Level One response/decision you received.

Parent signature: 

If you will be represented by someone other than yourself, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of filing: Date Received by District: \_\_\_\_\_

**Complainant, please note:**

Please ensure you have completed this form entirely before submitting. Forms lacking complete information may not be able to be addressed within the timeline constraints. Any additional evidence or information may be attached to this form. All evidence may be presented no later than the Level One conference. Please keep a copy of this completed form and any supporting documentation for your records.

Exhibit B

Consideration of Student Retention – Social/Other

{Campus Name}  
{Current school year}

Student Name: Robert Brady Adams Grade: \_\_\_\_\_

Parent/Guardian Name: Rob & Amanda Adams

Teacher: \_\_\_\_\_ Date of Initial Consideration for Retention: 3/2017

Retention consideration initiated by:

\_\_\_ Classroom Teacher  Parent \_\_\_ Other: \_\_\_\_\_

Please respond to the following questions:

7. Has the student been previously retained? \_\_\_ Yes \_\_\_ No If yes, list grades: \* Parent refers to previous school before Matronally.  
\_\_\_\_\_ \* School refers req. (Legacy hdsr.) doc.

8. Is the student receiving Special Education services? \_\_\_ Yes  No  
a. Identified disability: \_\_\_\_\_

9. Is the student receiving 504 services? \_\_\_ Yes  No  
a. Identified disability: \_\_\_\_\_

10. Is the student receiving ESL services? \_\_\_ Yes  No

11. Is the student receiving RTI services? \_\_\_ Yes  No

12. Is the student in compliance with the District attendance policy?  Yes  No 2.T.

I understand that my child has/will meet the promotion requirements outlined in EIA(LOCAL) for the \_\_\_\_\_ - \_\_\_\_\_ school year. Even though my child will meet all promotion requirements, I still wish to retain my child in grade \_\_\_\_\_ based on the following reason(s): developing/

- 1) maturity Social - difficulty maintaining relationships
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- 3) Lacks the responsibility to complete classroom work during school
- 4) Lacks organization to prioritize tasks/home work use often were up after 12:00 working.
- 5) often felt "overloaded" last year
- 6) Lacks confidence in his ability to complete projects and routinely came to us for suggestions and help. (over)

DATE ISSUED: 02/21/2016

Exhibit A

I understand that retaining my child in his/her current grade level will result in my child being identified as At-risk for the remainder of his/her academic career in Texas Public Schools.

Parent/Guardian Signature

Date

8/4/17

Campus Administrator Signature

Date

8/4/17

Original copies to be placed in cumulative folder.

Brody socially is much more compatible with his younger friends. He enjoys dressing in costumes, playing with legos, and action figures. He often plays "make believe" and typically acts & plays like a younger child.

By holding Brody back we believe that we will give him the best possible scenario in which to succeed. He has spent nearly his entire academic career "behind the 8 ball" with older children and we feel that this has stifled his development significantly. We are simply trying to give back to Brody that chance for social

and emotional success.

Exhibit B

**Consideration of Student Retention**

Required committee members include campus administrator, classroom teacher, parent/guardian, and other members as determined by campus administrator.

Committee Members:		Recommendation:	
Name / Signature	Position	Promotion	Retention
Zach Tarrant / <i>Zach Tarrant</i>	Principal	✓	
Holly Elgin / <i>Holly Elgin</i>	Asst. Principal	✓	
Della Reed / <i>Della Reed</i>	Math teacher	✓	
Foris Adams / <i>Foris Adams</i>	Father		✓
Amanda Adams / <i>Amanda Adams</i>	Mother		✓

Upon entering first grade and beyond, I understand that retaining my child in his/her current grade level will result in my child being identified as At-risk for the remainder of his/her academic career in Texas Public Schools.

*Foris Adams* 8/4/17 *Amanda Adams* 8/4/17  
 Parent/Guardian Signature Date  
*Zach Tarrant* 8-4-17  
 Administrator Signature Date

Original documents are to be placed in the student's cumulative folder.

ACADEMIC ACHIEVEMENT  
RETENTION AND PROMOTION

EIE  
(LOCAL)

CURRICULUM  
MASTERY

Promotion and course credit shall be based on mastery of the curriculum. Expectations and standards for promotion shall be established for each grade level, content area, and course and shall be coordinated with compensatory, intensive, and/or accelerated services. [See EHBC] The District shall comply with applicable state and federal requirements when determining methods for students with disabilities [see FB] or students who are English language learners [see EHBE and EKBA] to demonstrate mastery of the curriculum.

STUDENTS  
RECEIVING  
SPECIAL  
EDUCATION  
SERVICES

Any modified promotion standards for a student receiving special education services shall be determined by the student's admission, review, and dismissal (ARD) committee and documented in the student's individualized education program (IEP). [See EHBA series and EKB]

STANDARDS FOR  
MASTERY

In addition to the factors in law that must be considered for promotion, mastery shall be determined as follows:

1. Course assignments and unit evaluation shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade.
2. Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required.

GRADES 1–8

In grades 1–8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies.

GRADES 9–12

Grade-level advancement for students in grades 9–12 shall be earned by course credits. [See EI]

ACCELERATED  
INSTRUCTION

If a student fails to demonstrate proficiency on a state-mandated assessment, the student shall be provided accelerated instruction in accordance with state law. Additionally, students in grades 5 and 8 shall be subject to all provisions of GRADE ADVANCEMENT TESTING, below.

GRADE  
ADVANCEMENT  
TESTING

Except when a student will be assessed in reading or mathematics above his or her enrolled grade level, students in grades 5 and 8 must meet the passing standard on the applicable state-mandated assessments in reading and mathematics to be promoted to the next grade level, in addition to the District's local standards for mastery and promotion.

DEFINITION OF  
'PARENT'

For purposes of this policy and decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters [see FD]; a surrogate parent acting on behalf of a student with a disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student. [See EIE(LEGAL)]

ALTERNATE  
ASSESSMENT  
INSTRUMENT

The Superintendent or designee shall select from the state-approved list, if available, for each applicable subject an alternate assessment instrument that may be used for the third testing opportunity. Each student's GPC shall decide whether he or she shall be given the statewide assessment instrument or the applicable alternate instrument for the third testing opportunity. The committee's decision shall be based on a review of the student's performance in the previous testing opportunities, local assessments, and any other circumstances it deems appropriate.

STANDARDS FOR  
PROMOTION UPON  
APPEAL

If a parent initiates an appeal of his or her child's retention following the student's failure to demonstrate proficiency after the third testing opportunity, the GPC shall review all facts and circumstances in accordance with law.

The student shall not be promoted unless:

1. All members of the GPC agree that the student is likely to perform on grade level if given additional accelerated instruction during the following school year in accordance with the educational plan developed by the GPC; and
2. The student has completed required accelerated instruction in the subject area for which the student failed to demonstrate proficiency.

Whether the GPC decides to promote or to retain a student in this manner, the committee shall determine an accelerated instruction plan for the student for the following school year, providing for interim reports to the student's parent and opportunities for the parent to consult with the teacher or principal as needed. The principal or designee shall monitor the student's progress during the following school year to ensure that he or she is progressing in accordance with the plan.

ACADEMIC ACHIEVEMENT  
RETENTION AND PROMOTION

EIE  
(LOCAL)

TRANSFER  
STUDENTS

When a student transfers into the District having failed to demonstrate proficiency on applicable assessment instruments after two testing opportunities, a GPC shall convene for that student. The GPC shall review any available records of decisions regarding testing and accelerated instruction from the previous district and determine an accelerated instruction plan for the student.

If a parent initiates an appeal for promotion when a student transfers into the District having failed to demonstrate proficiency after three testing opportunities, the GPC shall review any available records of decisions regarding testing, accelerated instruction, retention, or promotion from the previous district and issue a decision in accordance with the District's standards for promotion.

ASSIGNMENT OF  
RETAINED STUDENTS

A student not promoted to the next grade level shall remain at the same campus or shall be assigned to a similar campus setting.

REDUCING STUDENT  
RETENTION

The District shall establish procedures designed to reduce retaining students at a grade level, with the ultimate goal being elimination of the practice of retaining students. [See EHBC]

STUDENT  
ADVANCEMENT

A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level. [See EI]

In determining promotion, the District shall consider:

1. The recommendation of the student's teacher;
2. The student's grade in each subject or course;
3. The student's score on an assessment instrument administered under Education Code 39.023(a), (b), or (l), to the extent applicable; and
4. Any other necessary academic information, as determined by the District.

*Education Code 28.021(a), (c)*

GRADE  
ADVANCEMENT  
(GRADES 5 AND 8)

In addition to Board policy relating to student advancement, students in grades 5 and 8 must demonstrate proficiency in reading and mathematics, as required by Education Code 28.021(a), in order to advance to the next grade.

A student demonstrates proficiency by meeting the passing standard on the appropriate assessment instrument specified by 19 Administrative Code 101.2003(a) [see GRADE ADVANCEMENT TESTING, below] or on a state-approved alternate assessment authorized by 19 Administrative Code 101.2011 [see ALTERNATE ASSESSMENT, below].

A student who does not demonstrate proficiency may advance to the next grade only if:

1. The student has completed the required accelerated instruction under 19 Administrative Code 101.2006 [see ACCELERATED INSTRUCTION, below];
2. The student's grade placement committee (GPC) determines by unanimous decision, in accordance with the standards for promotion established by the Board, that the student is likely to perform at grade level at the end of the next year given additional accelerated instruction. In accordance with Education Code 28.021, to determine grade promotion, the District is required to consider:
  - a. The recommendation of the student's teacher;
  - b. The student's grades;
  - c. The student's assessment scores; and

d. Any other necessary academic information; and

3. In accordance with Education Code 28.0211(n), the District will ensure that the student who is promoted by the GPC under 19 Administrative Code 101.2007 shall be assigned to a teacher who meets all state and federal qualifications to teach the subject and grade in each subject in which the student failed to perform satisfactorily on an assessment instrument specified under Education Code 28.0211(a).

*Education Code 28.0211(a); 19 TAC 101.2001(b)*

ADVANCEMENT  
REQUIREMENTS

By the start of the school year, the District shall make public the requirements for student advancement under Education Code 28.021. *Education Code 28.021(d)*

The Superintendent shall also notify parents of the grade advancement requirements under Education Code 28.0211 at the beginning of the school year. The District shall implement grade advancement requirements in accordance with 19 Administrative Code Chapter 101, Subchapter BB and the TEA procedures outlined in the official Student Success Initiative (SSI) manual, published annually by TEA. *19 TAC 101.2001(a), .2009(a)*

RETENTION

The District is not precluded from retaining, in accordance with state law or Board policy, a student who performs satisfactorily on a grade advancement test. *Education Code 28.0211(g)*

Students who have been retained in grade 8 in accordance with the grade advancement testing requirements may earn course credit for high school graduation during the next school year in subject areas other than the required courses in the subject area which caused the student to be retained. *19 TAC 101.2019(a)*

GRADE  
ADVANCEMENT  
TESTING

The District shall test eligible students in accordance with the grade advancement requirements set forth below.

ELIGIBLE  
STUDENTS

An eligible student is subject to all grade advancement requirements, including automatic retention, if the student is enrolled in a district on any day between January 1 and the date of the first administration of the grade advancement assessments.

An eligible student who does not meet the criteria specified above but enrolls in the District at any time after the date of the first administration of the grade advancement assessments is not subject to the grade advancement requirements.

The District must provide the student the opportunity to test and access to accelerated instruction.

*19 TAC 101.2003(b)-(c)*

ACADEMIC ACHIEVEMENT  
RETENTION AND PROMOTION

EIE  
(LEGAL)

REQUIRED  
ASSESSMENT

A student may not be promoted to:

1. The sixth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the fifth grade mathematics and reading assessment instruments; or
2. The ninth grade program to which the student would otherwise be assigned if the student does not perform satisfactorily on the eighth grade mathematics and reading assessment instruments.

*Education Code 28.0211(a); 19 TAC 101.2003*

EXCEPTION

Education Code 28.0211 does not require the administration of a fifth or eighth grade assessment instrument in a subject under Education Code 39.023(a) to a student enrolled in the fifth or eighth grade, as applicable, if the student:

1. Is enrolled in a course in the subject intended for students above the student's grade level and will be administered an assessment instrument adopted or developed under Education Code 39.023(a) [see EKB] that aligns with the curriculum for the course in which the student is enrolled; or
2. Is enrolled in a course in the subject for which the student will receive high school academic credit and will be administered an end-of-course assessment instrument [see EKB] for the course.

Notwithstanding any other provision of Education Code 28.0211, the student may not be denied promotion on the basis of failure to perform satisfactorily on an assessment instrument not required to be administered to the student, nor may a student in grade 5 or grade 8 be denied promotion to the next grade on the basis of failure to perform satisfactorily on a reading or mathematics assessment instrument intended for use above the student's grade level.

*Education Code 28.0211(o)–(p); 19 TAC 101.2001(d)*

TEST SCHEDULE

TEA shall provide three opportunities per year for the tests required for grade advancement. The Superintendent shall establish procedures to ensure that:

1. Each eligible student who is absent or does not receive a test score for any test administration shall receive appropriate accelerated instruction as warranted on an individual basis; and
2. Each eligible student who is absent or does not receive a test score for all three test opportunities and is consequently retained shall receive other appropriate means of evaluation,

including an alternate assessment, so that the GPC has sufficient evidence for its review upon appeal by a parent or guardian.

*19 TAC 101.2005(b)-(c)*

The District must accommodate the request of an out-of-District student to participate in the third administration of a test required for grade advancement if the District is testing one or more local students on the applicable test and if the out-of-District student has registered to take the test by a date determined by TEA. *19 TAC 101.2005(d)*

NOTICE OF GRADE  
ADVANCEMENT  
TESTING  
REQUIREMENTS

The Superintendent shall be responsible for:

1. Notifying each student and the student's parent or guardian in writing no later than the beginning of the student's first-grade year or no later than the beginning of the student's kindergarten year, for students attending kindergarten in the District, of the testing requirements for grade advancement;
2. Notifying each student in grades 1–8 who is new to the District and the student's parent or guardian in writing of the testing requirements for grade advancement; and
3. Notifying each student required to take the grade advancement tests of the dates, times, and locations of testing.

*19 TAC 101.3012(b)*

UNSATISFACTORY  
PERFORMANCE  
ON GRADE  
ADVANCEMENT TESTS

The District shall provide to a student who initially fails to perform satisfactorily on a grade advancement test at least two additional opportunities to take the assessment instrument. *Education Code 28.0211(b)*

ACCELERATED  
INSTRUCTION

Each time a student fails to perform satisfactorily on a grade advancement test, the District shall provide the student with accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations. Accelerated instruction shall be based on, but not limited to, guidelines on research-based best practices and effective strategies as outlined in the SSI manual, which districts may use for developing accelerated instruction.

BEFORE THE  
NEXT SCHOOL  
YEAR

A student who fails to perform satisfactorily on a grade advancement test shall be provided accelerated instruction before the next administration of the applicable assessment. An accelerated instruction group for students who have failed an assessment may

not have a ratio of more than ten students for each teacher per class.

*Education Code 28.0211(c); 19 TAC 101.2006(e)(1)*

DURING THE  
NEXT SCHOOL  
YEAR

If a student fails to perform satisfactorily on a grade advancement test after three attempts, the accelerated instruction shall be provided during the next school year according to an educational plan developed for the student by the student's GPC. The District shall provide the instruction regardless of whether the student has been promoted or retained. The educational plan shall be designed to enable the student to perform at the appropriate grade level by the conclusion of the school year. During the school year, the student shall be monitored to ensure the student is progressing in accordance with the plan. The District shall administer to the student the assessment instrument for the grade level in which the student is placed at the time the District regularly administers the assessment instrument for that school year. *Education Code 28.0211(f)*

TRANSPOR-  
TATION

The District shall provide students required to attend the accelerated programs described above with transportation to those programs if the programs occur outside of regular school hours. *Education Code 28.0211(j); 19 TAC 101.2006(b)*

NOTICE TO  
PARENTS OF  
PERFORMANCE  
AND ACCELERATED  
INSTRUCTION

In addition to providing the accelerated instruction, the District shall notify the student's parent or guardian of:

1. The student's failure to perform satisfactorily on the assessment instrument;
2. The accelerated instruction program to which the student is assigned; and
3. The possibility that the student might be retained at the same grade level for the next school year.

Whenever the District is required to notify a parent or guardian about the requirements related to promotion and accelerated instruction, the District shall make a good-faith effort to ensure that the notice is provided either in person or by regular mail, is clear and easy to understand, and is written in English or in the parent or guardian's native language.

*Education Code 28.0211(d), (h)*

AFTER EARLY  
IDENTIFICATION OF  
AT-RISK STUDENTS  
NOTICE

The District shall provide early notice to parents or guardians of students identified in a preceding grade to be at risk of failure on the first administration of the assessment required for grade advancement the next year. The Superintendent shall establish the instruments/procedures to be used to make this determination.

This notice shall include accelerated instruction participation requirements as stipulated by 19 Administrative Code 101.2006 and be provided before the end of the school year preceding the grade advancement requirements. *19 TAC 101.2009(b)*

AFTER FIRST  
TESTING  
OPPORTUNITY  
NOTICE

The District shall establish procedures to notify the parent or guardian of a student who has failed to demonstrate proficiency on the first administration of a grade advancement assessment. This notification should be made within five working days of the District's receipt of student assessment results from this administration. This notice shall include the student's assessment results, a description of the District's grade advancement policy, the required accelerated instruction to which the student has been assigned, and the possibility that the student might be retained at the same grade level for the next school year. In addition, the notice shall encourage parents or guardians to meet immediately with the student's teacher to outline mutual responsibilities to support the student during accelerated instruction. *19 TAC 101.2009(c)*

AFTER SECOND  
TESTING  
OPPORTUNITY  
NOTICE

Within five working days of the District's receipt of student assessment results for the second administration of the assessment required for grade advancement, the District shall notify the campus principal of student assessment results for each student who fails to demonstrate proficiency. Upon receipt of this notice, the principal shall notify the teacher and parent or guardian of the assessment results. This notice shall include a description of the purpose and responsibilities of a GPC and the time and place for the first meeting of the GPC. *19 TAC 101.2007(c)*

GRADE  
PLACEMENT  
COMMITTEE

After a student fails to perform satisfactorily on an assessment instrument a second time, a GPC shall be established to prescribe the accelerated instruction the student is to receive before the assessment instrument is administered the third time. The Superintendent shall establish procedures for convening the GPC.

In accordance with 19 Administrative Code 101.2006(d), decisions by the GPC shall be made on an individual student basis, address required participation of the student in accelerated instruction, and ensure the most effective instruction to support the student's academic achievement on grade level.

The GPC shall be composed of the principal or the principal's designee, the student's parent or guardian, and the student's teacher of the subject of the grade advancement assessment on which the student failed to perform satisfactorily. If this teacher is unavailable, the principal shall designate to serve on the committee a teacher certified in the subject of the assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

If more than one parent or guardian has the authority to make educational decisions regarding the student, a good faith effort must be made to notify both parents, but participation of any one parent or guardian is sufficient. Either parent or only one guardian may initiate an appeal. If both parents or guardians serve on the GPC but do not agree, either may agree to promote the student if the remaining members of the GPC also agree to the promotion. The District may accept a parent's or guardian's written designation of another person to serve on the GPC for all purposes. The District may accept a parent's or guardian's written and signed waiver of participation in the GPC and designation of the remaining members of the GPC as the decision-making entity for all purposes.

If a parent or guardian or designee is unable to attend a meeting, the District may use other methods to ensure parent participation, including individual or conference telephone calls. The District may designate another person to act on behalf of the student in place of a parent, guardian, or designee if no such person can be located. A surrogate parent named to act on behalf of a student with a disability shall be considered a parent for this purpose. The District shall make a good faith effort to notify a parent or guardian to attend the GPC. If the parent or guardian is unavailable, the remaining members of the GPC must convene as required by law and take all necessary actions required.

*Education Code 28.0211(c); 19 TAC 101.2007(a)–(b)*

ALTERNATE  
ASSESSMENT

For the third testing opportunity, the Board may choose to use a state-approved alternate assessment instead of the statewide assessment instrument. If the Board adopts such a policy, the District shall select from a list provided annually by the Commissioner only one test for each applicable grade and subject. The alternate assessment must be given during the period established by the Commissioner in the assessment calendar to coincide with the date of the third administration of the statewide assessment.  
*19 TAC 101.2011(a)–(b)*

PARENTAL  
WAIVER

The Superintendent shall establish a waiver process by which a parent or guardian may request that a student not participate in the third test opportunity due to potential harm to the student. The waiver must provide documentation of potential harm, student need, and other appropriate information. If a parental waiver is granted, the student must still participate in all required accelerated instruction and is subject to retention based on the failure on the second test administration. *19 TAC 101.2015*

AFTER THIRD  
TESTING  
OPPORTUNITY  
NOTICE

The GPC must convene again if a student fails to demonstrate proficiency on the third administration of an assessment required for grade advancement and is thereby automatically retained at the same grade level. Within five working days of receipt of student assessment results for this administration, the District shall notify the campus principal of the assessment results for each eligible student who fails to demonstrate proficiency. Upon receipt of this notice, the principal shall notify the teacher and parent or guardian of the time and place for the GPC to hold a meeting. This notice shall inform the parent or guardian of the opportunity to appeal the automatic retention of the student. The District shall establish a procedure to ensure a good faith effort is made toward securing the parent's or guardian's receipt of the retention notification. *19 TAC 101.2007(e)*

RETENTION AND  
APPEAL

A student who fails to perform satisfactorily after at least three attempts on one of the grade advancement tests shall be retained at the same grade level for the next school year. The parent or guardian may appeal the retention by submitting a request to the GPC within five working days of receipt of the retention notification. *Education Code 28.0211(e); 19 TAC 101.2007(e)*

The GPC may not agree to promote a student unless a parent, guardian, or designee has appealed. *19 TAC 101.2007(b)(2)*

If an appeal is initiated by the parent or guardian, the GPC may decide in favor of promotion only if the GPC concludes, upon review of all facts and circumstances, and in accordance with standards adopted by the Board, that the student is likely to perform on grade level given additional accelerated instruction during the next school year. A student may be promoted only if the decision of the GPC is unanimous and the student has completed all required accelerated instruction.

The review and decision of the GPC must be appropriately documented as meeting the standards adopted by the Board and made in conformance with procedures specified in the SSI manual and as required by 19 Administrative Code 101.2001(b). These standards must include consideration of the following:

1. The recommendation of the student's teacher;
2. The student's grades;
3. The student's assessment scores; and
4. Any other necessary academic information as determined by the District.

*19 TAC 101.2007(f)*

The placement decision by the GPC shall be made before the start of the next school year, or if applicable, upon re-enrollment of the student after this date. *19 TAC 101.2007(g)*

The committee's decision regarding placement is final and may not be appealed. *Education Code 28.0211(e)*

ACCELERATED  
INSTRUCTION

A student who fails to perform satisfactorily on a grade advancement test after three attempts and who is promoted to the next grade level must complete all required accelerated instruction before placement in the next grade level. A student who fails to complete required accelerated instruction may not be promoted. *Education Code 28.0211(a-2); 19 TAC 101.2006(e)(2)*

In each subject in which the student failed to perform satisfactorily on the grade advancement test, a student who is promoted by the GPC must be assigned to a teacher who meets all state and federal qualifications to teach that subject and grade. *Education Code 28.0211(n)*

TRANSFER STUDENTS

A student who has been promoted upon completion of a school year in a school other than a Texas public school may be enrolled in that grade without regard to whether the student has successfully completed a grade advancement test. This does not limit the District's ability to appropriately place such a student. *19 TAC 101.2007(h)*

ENGLISH LANGUAGE  
LEARNERS (ELL)

The language proficiency assessment committee (LPAC) shall determine appropriate assessment and accelerated instruction for an English language learner (ELL) who is administered a grade advancement test in English or Spanish, except as provided by 19 Administrative Code 101.1005. The GPC for an ELL shall make its decisions in consultation with a member of the student's LPAC. *19 TAC 101.2003(e) [See EKBA]*

STUDENTS  
RECEIVING SPECIAL  
EDUCATION SERVICES

A student who is receiving special education services, including an ELL, who is enrolled in grade 5 or 8, and who is receiving instruction in the essential knowledge and skills in reading or mathematics is eligible for grade advancement testing as outlined in the official SSI manual. The student's admission, review, and dismissal (ARD) committee shall determine appropriate assessment and accelerated instruction for the student. Decisions regarding assessments for ELLs who receive special education services shall be made by the ARD committee in conjunction with the LPAC. *Education Code 28.0211(i); 19 TAC 101.2003(d), (f)*

STUDENTS WITH  
DYSLEXIA

In measuring the academic achievement or proficiency of a student who has dyslexia, the student's potential for achievement or profi-

ciency in the area must be considered. *Education Code 28.021(b); 19 TAC 101.2003(g)* [See policies at EHB, EKB, and FB]

AGE-  
APPROPRIATE  
ASSIGNMENT

The Board may establish a policy that provides for the placement of retained students in an age-appropriate learning environment. In accordance with local grade configurations for elementary, middle, and high school campuses, the Board may specify the age by which a retained student should be placed on the next level campus even though not yet promoted to the grade of that campus. *19 TAC 101.2019(b)*

OPTIONAL EXTENDED-  
YEAR PROGRAM

A student who does not meet District standards or policies for promotion on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level shall be eligible for services under the optional extended-year program. *19 TAC 105.1001(c)*

A student who attends at least 90 percent of the extended-year program days and who satisfies the requirements for promotion (academic achievement or demonstrated proficiency of the subject matter of the course or grade level) shall be promoted to the next grade level at the beginning of the next school year. However, if the student's parent presents a written request to the school principal asking that the student not be promoted, the principal shall hold a formal meeting with the parent, the teacher, and the school counselor, as soon as practicable after receiving such a request. During the meeting, the principal, teacher, or school counselor shall explain the possible effects of not promoting a student. If the parent withdraws the request after the meeting, the student shall be promoted, and the District shall continue to use innovative practices to ensure that the student is successful in school in succeeding school years.

If the District provides an extended-year program, it shall adopt a policy designed to lead to immediate reduction and ultimate elimination of student retention.

*Education Code 29.082(e)-(f)* [See EHBC]

STANDARDS FOR  
MASTERY

Promotion and course credit shall be based on mastery of the curriculum. The District shall comply with applicable state and federal requirements when determining methods for students with disabilities or students who are English Language Learners (ELLs) to demonstrate mastery of the curriculum.

Any modified promotion standards for a student receiving Special Education services shall be determined by the student's Admission, Review, and Dismissal (ARD) committee and documented in the student's Individualized Education Program (IEP).

GRADES 1–8

In addition to the factors in law that must be considered for promotion, mastery shall be determined as follows:

1. Course assignments and unit evaluation shall be used to determine student grades in a subject. An average of 70 or higher shall be considered a passing grade for all courses.
2. Mastery of the skills necessary for success at the next level shall be validated by assessments that may either be incorporated into unit or final exams or may be administered separately. Mastery of at least 70 percent of the objectives shall be required for all courses.
3. In grades 1–8, promotion to the next grade level shall be based on an overall average of 70 on a scale of 100 based on course-level, grade-level standards (essential knowledge and skills) for all subject areas and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies.
4. Additionally, students in grades 5 and 8 must also meet the passing standard on the state-mandated assessments in reading and mathematics to be promoted to the next grade level.

If a student fails to demonstrate proficiency on a state-mandated assessment, the student shall be provided accelerated instruction in accordance with state law.

For purposes of making decisions related to grade advancement requirements, a student's "parent" shall be defined to include either of the student's parents or guardians; a person designated by the parent, by means of a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code, to have responsibility for the student in all school-related matters; a surrogate parent acting on behalf of a student with a disability; a person designated by the parent or guardian to serve on the grade placement committee (GPC) for all purposes; or in the event that a parent, guardian, or designee cannot be located, a person designated by the Superintendent or designee to act on behalf of the student.

SUBCHAPTER B. ADVANCEMENT, PLACEMENT, CREDIT, AND ACADEMIC ACHIEVEMENT RECORD

Sec. 28.021. STUDENT ADVANCEMENT. (a) A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.

(b) In measuring the academic achievement or proficiency of a student who is dyslexic, the student's potential for achievement or proficiency in the area must be considered.

(c) In determining promotion under Subsection (a), a school district shall consider:

- (1) the recommendation of the student's teacher;
  - (2) the student's grade in each subject or course;
  - (3) the student's score on an assessment instrument administered under Section 39.023(a), (b), or (l), to the extent applicable; and
  - (4) any other necessary academic information, as determined by the district.
- (d) By the start of the school year, a district shall make public the requirements for student advancement under this section.
- (e) The commissioner shall provide guidelines to districts based on best practices that a district may use when considering factors for promotion.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. 3), Sec. 28, eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 307 (H.B. 2135), Sec. 1, eff. June 17, 2011.

# Memo

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August 3, 2017

On August 3, 2017 I received a phone call from Zach Tarrant, principal at McAnally Intermediate School, inquiring about policies or practices providing guidance related to promotion and retention of students. He described a situation where he had a student who had just completed 5<sup>th</sup> grade and had been very successful academically, including attaining 'Master's Level' on all three STAAR exams last spring. However, in this situation the parents of the student were wishing to retain the student in spite of the academic performance.

My initial response was that I'd never heard of a circumstance where a request to retain in the face of such academic success had been brought, particularly of a student of that age. I advised Zach I would seek and review any relevant policies and statutory requirements and get back with him.

I reviewed Aledo ISD policy EIE (Local) which deals with *Retention and Promotion* and Texas Education Code 28.021 which deals with *Student Advancement*. I found both sources to be slanted toward guiding the practice of retaining students when parents wished to promote, but neither offered any guidance in circumstances where the school was endorsing promotion when the parents were wanting to retain.

Because of the lack of written guidance, I called the Texas Education Agency for clarification. I was routed to speak to Jessica Snyder, Special Projects Manager in the Curriculum Division. I posed Mr. Tarrant's question to Ms. Snyder. She immediately directed me back to Texas Education Code 28.021 stating this was the only thing in the code that spoke to Student Advancement. She added that if the circumstances were the other way around (compared to what was in the referenced code), it would be a local decision to make a determination based on what was best for the student. She also stated that if a student had achieved Master's Level on all STAAR exams in the previous grade, it may well be a disservice to the student to allow repeating of that grade, but ultimately that would be a local decision.

I called back Mr. Tarrant and conveyed this information to him and forwarded him a copy of Texas Education Code 28.021.

Adams, Robert Brody	104095	05	309	2	3	16-17	8/02/2017	
<p>To the Parents/Guardians of:</p> <p><b>Adams, Robert Brody</b>  <b>4004 Tortoise Ln</b>  <b>Fort Worth, TX 76135</b></p>								McAnally Intermediate
								151 FM 5 S ALEDO, TX 76008
								ZACH TARRANT
								817-441-8347

Subject	1	2	3	4	5	6	7	8	9	10	11	12	Teacher
Math 5	94	92	99	95	92	92	92	92	92	S	94		Reed, Adela
Language Arts 5	100	99	97	99	95	95	94	95	94	S	97		WATSON, VALERIE
Science 5	99	97	96	97	94	96	97	96	97	S	97		Witlock, Dena
Social Studies 5	100	97	97	98	99	94	98	97	98	S	98		ADAMS, TANYA
PE 5	100	100	100	100	100	100	100	100	100	S	100		Sears, Kaylee
MACS5	95	94	100	96	95	100	90	95	95	N	96		Sapaugh, Micah

													Parent Signature	

	1	2	3	4	5	6	7	8	9	10	11	12
Days Present	24	22	30	28	30	30	30	30	30	30	30	164
Days Absent	0	2	2	3	3	3	1	1	1	1	1	11
Excused	0	1	2	3	3	3	1	1	1	1	1	10
Unexcused	0	1	0	0	0	0	0	0	0	0	0	1
Times Tardy	0	0	0	0	0	0	0	0	0	0	0	0

Note: A student having excessive abs. defined by Texas Attendance Laws, may not receive credit, nor be promoted.

**DO YOU WANT YOUR CHILD TO RIDE THE BUS NEXT YEAR?**  
 Parents can pre-register their child for bus service for the 2017-18 school year online beginning Tuesday, June 6th  
 Have A Safe and Fun Summer Break!

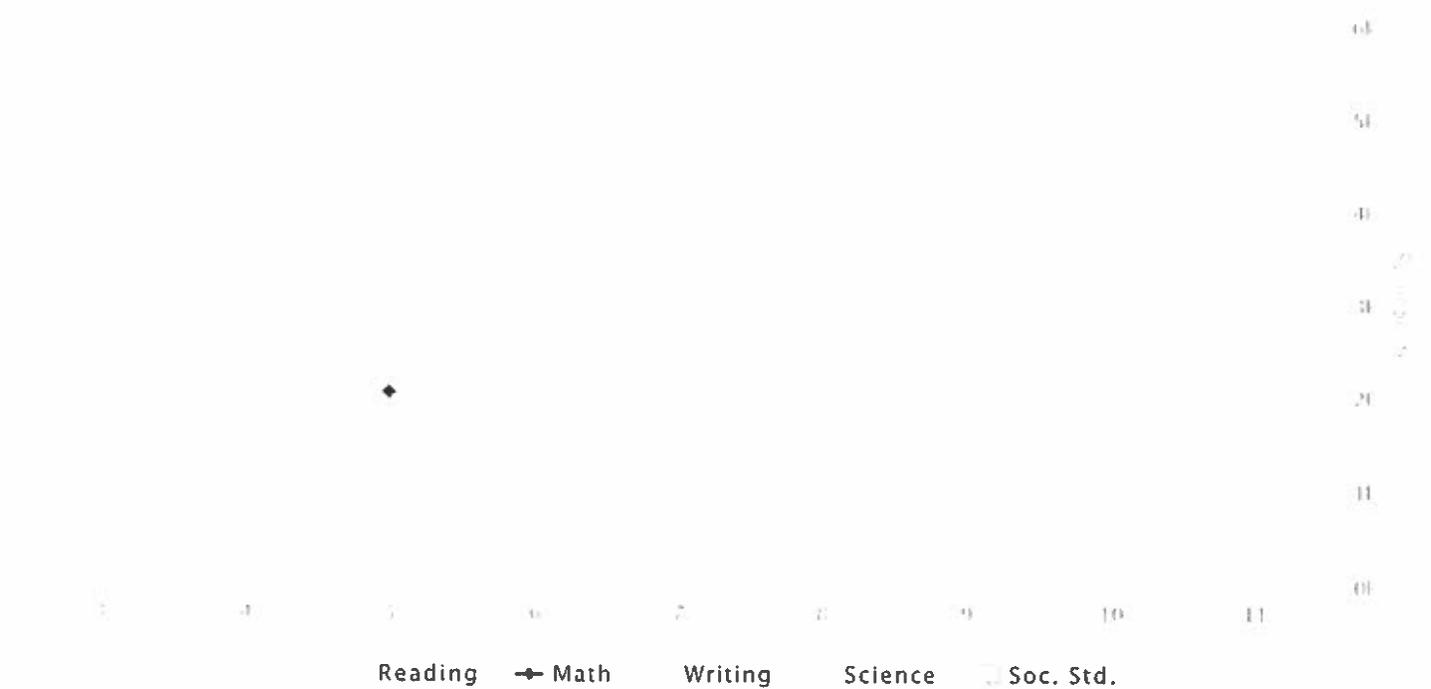
Check out our website and Facebook page for more details and to stay connected to McAnally!

Have you joined the Aledo PTO?  
 Are you following us on Instagram? Name: mccals

\*\*\*\*\*PROMOTED\*\*\*\*\*

# Adams, Robert Brody

## State Test History



Year	Grade	Reading/ELA	Math	Writing	Science	Social Studies
2017	5	1856	2062		5025	

### Local Test

Test Name	Raw	Percent	Met
2016 5th Grade Math CBA # 1	17	100	Advanced
2016 5th Grade Math Fall Semester Test	19	95	Advanced
2016-2017 5th grade Science Semester 1 CBA	28	100	Advanced
5th Grade Math Spring Final 2016-2017	25	100	Advanced

### Benchmark

Test Name	Raw	Percent	Met
2017 5th Grade Math Benchmark	47	94	Advanced
2017 5th Grade Reading Benchmark - 2016 Released	42	91	Advanced
2016-2017 5th Grade Science Spring Benchmark	35	97	Advanced

### STAAR Test

Test Name	Ver	Scale	Raw	Percent	Level
March 2017 STAAR Mathematics, Grade 5		2062	36	100	Masters Grade Level
March 2017 STAAR Reading, Grade 5		1856	37	97	Masters Grade Level
May 2017 STAAR Science, Grade 5		5025	35	97	Masters Grade Level

Date Run: 8/2/2017 4:19 PM  
 Cnty-Dist: 184-907  
 Campus: 110 Track: 0

Student Discipline Report  
 McAnally Intermediate  
 Sch Year: 2017

Program ID: SDS0100  
 Page: 1 of 2

Date Range: 08-22-2016 To: 06-01-2017

Stu ID: 104095 Trk: 0 Grade: 05 Sex: Male DOB: 09-19-2005 Withdrawn Date: -- Eco Disadv: 00 Pri Disab: Instruct Set:  
 Student Name: Adams Robert Brody Agg Race/Ethn : White  
 Course: Section: Title: Incident Time: 11:49:00 AM Incident Date: 09-23-2016 Location: Not Applicable  
 Incident No: 000104 Report Per: 1 Period: Instr:  
 Reported By: 002 - HOLLY ELGIN Admin By: 002 - HOLLY ELGIN  
 Parent Contact: Y Contact Date: 09-23-2016 Conf Requested: Conf Date: -- Informal Hearing: Appeal Exp: Witness:

Off Cd	Level	Extract	PEIMS	Description	Official Amt	Campus Respons	Discplny Actn Dt	From	To	Official Length	Actual Length	Diff Cd	Camp Assgn	Action #
0021	2	<input checked="" type="checkbox"/>	21	Violation of Student Code of Conduct Not Covered Under TEC		110	09-23-2016	09-23-2016	09-23-2016	001	001	00	184907110	001
C8				Withdrawal of privileges		110	09-23-2016	09-26-2016	09-27-2016	002	002	00	184907110	005

Comment: Brody shoved another student at McCal Alley. He then punched the other student in the cheek.  
 1/2 day ISS & 2 days - no McCal Alley

Stu ID: 104095 Trk: 0 Grade: 05 Sex: Male DOB: 09-19-2005 Withdrawn Date: -- Eco Disadv: 00 Pri Disab: Instruct Set:  
 Student Name: Adams Robert Brody Agg Race/Ethn : White  
 Course: Section: Title: Incident Time: 11:46:00 AM Incident Date: 01-11-2017 Location: Not Applicable  
 Incident No: 000455 Report Per: 4 Period: Instr:  
 Reported By: 002 - HOLLY ELGIN Admin By: 002 - HOLLY ELGIN  
 Parent Contact: Y Contact Date: 01-11-2017 Conf Requested: Conf Date: -- Informal Hearing: Appeal Exp: Witness:

Off Cd	Level	Extract	PEIMS	Description	Official Amt	Campus Respons	Discplny Actn Dt	From	To	Official Length	Actual Length	Diff Cd	Camp Assgn	Action #
0021	2	<input type="checkbox"/>	21	Violation of Student Code of Conduct Not Covered Under TEC		110	01-11-2017	01-12-2017	01-13-2017	002	002	00	184907110	001
A7				Recess Detention		110	01-11-2017	01-12-2017	01-13-2017	002	002	00	184907110	001

Comment: Brody shoved another student at McCal Alley.

Date Run: 8/2/2017 4:19 PM  
Cnty-Dist: 184-907  
Campus: 110 Track: 0

Student Discipline Report  
McAnally Intermediate  
Sch Year: 2017  
Date Range: 08-22-2016 To: 06-01-2017

Program ID: SDS0100  
Page: 2 of 2

Stu ID: 104095 Trk: 0 Grade: 05 Sex: Male DOB: 09-19-2005 Withdrawn Date: -- Eco Disadv: 00 Pri Disab: 00 Instruct Set:  
Student Name: Adams Robert Brody Agg Race/Ethn: White  
Course: Section: Title: Incident Time: 03:10:00 PM Incident Date: 03-02-2017 Location: Not Applicable  
Incident No: 000701 Report Per: 5 Period: Instr:  
Reported By: 700 - Kaylee Sears Admin By: 002 - HOLLY ELGIN  
Parent Contact: Y Contact Date: 03-03-2017 Conf Requested: -- Informal Hearing: Appeal Exp: Witness:

Off Cd	Level	Extract	PEIMS	Description	Official Amt	Campus Respons	Discplny Actn Dt	From	To	Official Length	Actual Length	Diff Cd	Camp Assgn	Action #
0021	2	<input checked="" type="checkbox"/>	21	Violation of Student Code of Conduct Not Covered Under TEC		110	03-02-2017	03-03-2017	03-03-2017	001	001	00	184907110	002
06	06			In-School Suspension										

Comment: Brody got into a physical altercation with another student during PE.

Stu ID: 104095 Trk: 0 Grade: 05 Sex: Male DOB: 09-19-2005 Withdrawn Date: -- Eco Disadv: 00 Pri Disab: 00 Instruct Set:  
Student Name: Adams Robert Brody Agg Race/Ethn: White  
Course: Section: Title: Incident Time: 03:14:11 PM Incident Date: 05-17-2017 Location: Not Applicable  
Incident No: 001181 Report Per: 6 Period: Instr:  
Reported By: 001 - ZACH TARRANT Admin By: 001 - ZACH TARRANT  
Parent Contact: Y Contact Date: -- Conf Requested: -- Informal Hearing: Appeal Exp: Witness:

Off Cd	Level	Extract	PEIMS	Description	Official Amt	Campus Respons	Discplny Actn Dt	From	To	Official Length	Actual Length	Diff Cd	Camp Assgn	Action #
0021	2	<input type="checkbox"/>	21	Violation of Student Code of Conduct Not Covered Under TEC		110	05-17-2017	05-22-2017	05-25-2017	004	004		184907110	002
H6				Lunch Detention										

Comment: involved with physical altercation with another student

ADMISSIONS

FD  
(LOCAL)

PERSONS AGE 21  
AND OVER

The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.

REGISTRATION  
FORMS

The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.

PROOF OF  
RESIDENCY

At the time of initial registration and on an annual basis thereafter, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency in accordance with administrative regulations developed by the Superintendent. The District may investigate stated residency as necessary.

MINOR LIVING APART  
PERSON STANDING  
IN PARENTAL  
RELATION

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

MISCONDUCT

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

EXCEPTIONS

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

EXTRACURRICULAR  
ACTIVITIES

The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

NONRESIDENT  
STUDENT IN  
GRANDPARENT'S  
AFTER-SCHOOL CARE

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with Board policy.

DEFINITION:  
SUBSTANTIAL CARE

For the purpose of admission under this provision, a substantial amount of after-school care consists of at least two hours per school day for five days during the regular school week.

PROCEDURE

The nonresident parent and the resident grandparent shall apply to the Superintendent if they wish to request admission of a nonresident student based on the amount of after-school care provided by

the grandparent. The request and the affirmation of the grandparent's residency must be made in writing by completing the form provided by the District.

LOSS OF  
ELIGIBILITY

The Superintendent may consider the following as indicators that the grandparent is no longer providing the level of care designated, which may result in forfeiture of enrollment:

1. If the care provided by the grandparent no longer meets the definition for substantial care as defined by this policy;
2. If the student obtains a driver's license; or
3. If the student obtains after-school employment.

"ACCREDITED"  
DEFINED

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

GRADE-LEVEL  
PLACEMENT  
ACCREDITED  
SCHOOLS

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

NONACCREDITED  
SCHOOLS

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

ADMISSIONS

FD  
(LOCAL)

TRANSFER OF CREDIT      Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

ACCREDITED  
TEXAS PUBLIC  
SCHOOLS

OTHER  
ACCREDITED OR  
NONACCREDITED  
SCHOOLS

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit. [See EI]

WITHDRAWAL

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]



### COMPLAINT FORM- LEVEL THREE

To appeal a Level Two decision or the lack of a timely response after a Level Two conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to the Superintendent or designee within the time established in FNG (LOCAL). Appeals will be heard in accordance with FNG (LEGAL) and (LOCAL) with any exceptions outlined therein.

PARENT NAME: \_\_\_\_\_

STUDENT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
 \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

CAMPUS: \_\_\_\_\_

PRINCIPAL: \_\_\_\_\_

To whom did you present your complaint at Level Two? \_\_\_\_\_

Date of conference: \_\_\_\_\_

Date you received a response to the Level Two conference: \_\_\_\_\_

Please explain specifically how you disagree with the outcome at Level Two.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please describe the outcome or remedy you seek for this complaint. (As presented in Level One form)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you want the Board to hear this appeal in open session?  Yes  No

*(If so, the Board will consider your request; however, you may not have a legal right under the Texas Open Meetings Act to require a meeting in open session)*

Attach a copy of your original complaint and any documentation submitted at Level One and a copy of your Level Two appeal notice.

Please also attach a copy of the Level Two response being appealed, if applicable.

Parent signature: \_\_\_\_\_

If you will be represented by someone other than yourself, please identify the person representing you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date of filing: \_\_\_\_\_ Date Received by District: \_\_\_\_\_

**Complainant, please note:**

Please ensure you have completed this form entirely before submitting. Forms lacking complete information may not be able to be addressed within the timeline constraints. Any additional evidence or information may be attached to this form.

All evidence may be presented no later than the Level One conference. Please keep a copy of this completed form and any supporting documentation for your records.