

**Case No. SRDR2023-11-48**

Regarding	§	Before the Texas Education Agency
	§	
Hallsville ISD	§	
	§	
CDN # 102-904	§	Commissioner of Education

**AGREED RESOLUTION AND ACTION PLAN**

**Agreed Resolution and Actions**

In a desire to conclude this matter without further delay and expense, the Texas Education Agency (the Agency) and Hallsville Independent School District (LEA or Hallsville ISD) agree to resolve this matter by the terms of this Agreed Resolution and Action Plan.

**RECITALS:**

**WHEREAS** on July 13, 2023, a notice of special investigation was sent to the LEA regarding an allegation that the LEA had failed to accurately report PEIMS data to the agency.

**WHEREAS** during the special investigation, investigators reached out to parents and students documented by the LEA as being home school leavers and reported in PEIMS with ExitWithdrawType '60' and most parents or students contacted indicated that they had never been enrolled in a home school program.

**WHEREAS** there is evidence that the LEA failed to adhere to accurate Public Education Information Management System (PEIMS) data reporting standards, specifically the use of ExitWithdrawType '60' in the following situations:

- a. A vendor under the supervision of the LEA contacted absent or withdrawn students and their parent/guardian in the LEA's virtual program, stated the risk of truancy related legal actions, and attached a prefilled confirmation of home school form for signature. The LEA would then use the signed form as supporting documentation for ExitWithdrawType '60' in PEIMS.
- b. The LEA's documentation permits adult students to provide and sign their own written documentation to support the use of ExitWithdrawType '60' without the signature of a parent/guardian supervising the home school program.

**WHEREAS** the LEA took corrective actions to cease use of the prefilled confirmation of home school form after the initiation of the special investigation.

**WHEREAS** the LEA provided the agency with the supporting documentation for all 2023-24 school year leavers and the agency's review of the documentation revealed that many students continued to be inaccurately entered with an ExitWithdrawType of '60' when the LEA's supporting documentation indicated an ExitWithdrawType of '98' would have been required.

**WHEREAS** the Commissioner finds that there is satisfactory evidence supporting the findings set forth above for a determination warranting the action specified in this Agreed Resolution and Action Plan.

NOW, THEREFORE, it is the AGREEMENT of the Agency and LEA that

1. Effective immediately, the LEA must ensure that an ExitWithdrawType is submitted in PEIMS to the agency for all students identified by the Agency as "leavers" except for those students who received a Texas Certificate of High School Equivalency (TxCHSE), graduated from Texas public schools in an earlier year, or moved from one Texas public school district or charter school to another (i.e. "movers").
  - a. Prior to submitting final leaver data to the Agency, the LEA agrees to use the Presumed Underreported Students List (PDM1-321-001) through the TSDS Portal in TEAL to identify any remaining students for whom a leaver record should be submitted to the Agency. The LEA agrees to submit the appropriate leaver reason and obtain the required supporting documentation for these students. If a presumed underreported student's whereabouts are unknown or the required documentation for a specific leaver reason cannot be obtained, the LEA will report the student to the Agency with a ExitWithdrawType of '98' ("Other").
  - b. Note, during the 2025-26 school year, leaver data will be reported in three PEIMS submissions (Submissions 1, 3, and 4). Please review the [PEIMS Leaver Data - Documentation Requirements for the PEIMS Leaver Data](#) reference document, including the "Determination of Movers and Leavers" section, for more information about reporting expectations.
2. Effective immediately, the LEA must ensure that it follows the specific documentation requirements listed in the "PEIMS Leaver Data - Documentation Requirements for the PEIMS Leaver Data" in the Texas Education Data Standards for all leavers. If the required documentation for a specific leaver code cannot be obtained, then these students should be coded with a ExitWithdrawType of '98' ("Other").
  - a. If the LEA has questions about leaver code definitions or documentation, a TSDS Incident Management System (TIMS) Ticket should be submitted to the Agency as soon as possible so proper guidance can be provided before the PEIMS submission window closes.
3. Effective immediately, the LEA must ensure that it follows documentation timelines required under TEDS for obtaining documentation listed in the [PEIMS Leaver Data - Documentation Requirements for the PEIMS Leaver Data](#) for all leavers. If documentation cannot be obtained within the required timelines, then these students should be coded with an ExitWithdrawType of '98' ("Other").

- a. Note, during the 2025-26 school year, leaver data will be reported in three PEIMS submissions (Submissions 1, 3, and 4). Please review the “Timelines for Establishing Leaver Reasons and Obtaining Documentation” section of the reference document noted above to ensure your LEA is aware of the new timeline expectations for obtaining documentation.
4. Effective immediately, the LEA must ensure that, in accordance with TEDS documentation requirements, students who withdraw for home school have supporting written documentation, signed and dated, from the parent/guardian stating that the student is being home schooled. Documentation from parents/guardians must indicate the actual date home schooling began. It is not permissible for a district to document that, at the time of withdrawal, the student intended to be home schooled.
  - a. To use ExitWithdrawType '60', the student must be pursuing, under direct supervision of the parent/guardian, a curriculum designed to meet basic education goals. It is the responsibility of the LEA to confirm with the parent/guardian that this is the case, but the district is not required to obtain evidence that the program being provided meets educational standards.
  - b. The ExitWithdrawType '60' does not preclude adult students from participating in home school programs, but its use does require the supervision of the parent/guardian of the program as well as the signature of the supervising parent/guardian on the supporting documentation.
  - c. To ensure the student's whereabouts are accurately captured and that the student has actually begun home school, the LEA is recommended to collect the required supporting documentation from the parent/guardian in a separate and distinct interaction from the withdrawal process as a best practice. Additionally, it is recommended that the parent/guardian's name or other related information not be prefilled by the LEA on the documentation.
5. The LEA must schedule and provide in-person training related to leaver reporting and documentation (i.e., obtaining proper documentation within the required timelines as outlined in the TEDS, as well as implementation of the LEA procedures) for all central administrative staff and/or vendors who perform functions relating to the collection, monitoring, and validating of leaver data as well as all campus level staff or vendors that are involved in the withdrawal and leaver documentation processes by no later than **November 10, 2025**.
6. The LEA must review its leaver manual, resources, and associated guides – such as the Mover-Leaver form or the checklist for student withdrawal – and revise them to match the requirements in TEDS data leaver standards. The LEA must provide the Agency a copy of the revised processes no later than **December 15, 2025**.
7. The LEA will provide the Agency with a copy of all training documentation (including training materials such as slide-decks or curriculum), evidence of learning, as well as sign-in logs, as referenced in Item 5, no later than **November 17, 2025**.

8. The LEA will obtain and retain all available contact information (i.e. phone numbers, email addresses, etc.) for all 2025-2026 school year leavers (i.e., graduates, other leavers, dropouts), submitted in the Summer 2026 PEIMS submission until the completion of this agreed resolution and action plan. The LEA will seek this information from its vendors, if necessary and applicable.
9. The LEA agrees that it will receive a second compliance review of its 2025-26 PEIMS data submissions by the Agency. The LEA agrees to fully cooperate with the review and to provide all Agency-requested data and documentation.
10. The LEA agrees that if the Agency finds in its compliance review referenced under Item 9 of this agreement that the LEA failed to comply with TEDS documentation requirements or engaged in practices that result in false or inaccurate leaver information for students being reported to the Agency that the LEA will be appointed a conservator under TEC §§ 39A.001 and 39A.002. The conservator will review the LEA's PEIMS reporting procedures and direct changes to improve the accuracy of the LEA's reported data.
11. The Board must hold a Special Meeting, unless the next scheduled board meeting is prior to the due date of **September 23, 2025**, and place this Agreed Resolution and Action Plan on the agenda prior to approval and signing.
12. The LEA agrees to comply with all provisions of the Texas Education Code, and the Agency and/or Commissioner of Education rules in the future or the LEA will be subjected to further action by the Agency.
13. The LEA agrees to fully cooperate with the Agency's requests for information and/or onsite inspections during the period that this agreement is in effect.
14. Upon approval, the Commissioner of Education and/or the Agency's Associate Commissioner of Compliance, and Investigations are authorized to sign this agreement on behalf of the Agency.

### **Agreements**

By signing this Agreed Resolution and Action Plan, the LEA:

1. Agree(s) with all terms, acknowledge(s) understanding of all terms, and agree(s) that the LEA will satisfactorily comply with all terms of this Agreed Resolution and Action Plan by no later than **November 15, 2026**, or be subject to a reopening of this matter.
2. Agree(s), acknowledges, and understands that the LEA will be informally monitored until the successful completion of this agreement for continued compliance with all applicable statutes and regulations.

3. Agree(s), acknowledges, and understands that the LEA may be subject to a special investigation (SI), corrective action(s), or sanction(s) for any additional allegations of violations that are substantiated.
4. The LEA agrees and understands that student information protected under the Family Educational Rights and Privacy Act is confidential and the Agency will maintain that confidentiality in accordance with state and federal law.
5. The LEA agrees to waive any right to any review before the Commissioner, any right to seek removal or modification of any intervention provided for in this matter, any right to judicial review of this Agreed Resolution and Action Plan, and any other procedural rights that might otherwise apply. The LEA does not waive any rights to an informal review, or any other rights enumerated in the Texas Education Code if for any reason the Agency elects to reopen and formally investigate this matter. The LEA does not waive any due process rights available to it in future actions contemplated by Item 3 above.
6. The parties agree that this agreement is not subject to judicial review, does not create any rights not already described by law, and is solely interpreted by the Commissioner of Education. Nothing in this paragraph waives any rights or remedies for the LEA with respect to future actions contemplated by Item 3 above.
7. The LEA agrees to release this executed Agreed Resolution and Action Plan in response to any Public Information Request (PIR).

**[Signature Page to Follow]**

WE, SUPERINTENDENT **MR. JOHN MARTIN** AND BOARD PRESIDENT **MR. JAY NELSON** HAVE READ AND UNDERSTAND THE FOREGOING AGREED RESOLUTION AND ACTION PLAN. WE UNDERSTAND THAT BY SIGNING THIS AGREED RESOLUTION AND ACTION PLAN, THE LEA WAIVES CERTAIN RIGHTS. WE SIGN IT VOLUNTARILY, WILLINGLY, AND KNOWINGLY ON BEHALF OF HALLSVILLE ISD. WE UNDERSTAND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Mr. John Martin

Superintendent of Hallsville ISD

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Mr. Jay Nelson

Board President of Hallsville ISD

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
**\*Ashley Jernigan**

Associate Commissioner of Compliance &  
Investigations

\*Pursuant to TEC §7.055(b)(5), the Commissioner of Education has delegated the authority to the Associate Commissioner of Governance, Compliance & Investigations to approve the issuance of an Agreed Resolution and Action Plan and related investigation activities pursuant to TEC §39.003.