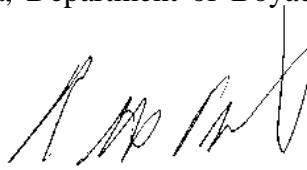


Declaration of Scott Placek

My name is Scott Placek, my date of birth is October 13, 1966, and my business address is 12343 Hymeadow Dr., Bldg. 2, Ste. 100, Austin, Texas, US. I declare under penalty of perjury that the following statements are true and correct.

1. I sent a public information request to Nazareth Independent School District regarding its changes to its EIE (LOCAL) policy on or about March 27, 2024.
2. I received a response to my request on May 8, 2024, identified "NISD-TXER PIR 10" directly from Nazareth Independent School District. I have attached a true and correct copy of that response as Exhibit B-1.

Executed in the Municipality of Tunja, Department of Boyaca, Colombia on the 17th day of August, 2024.



Scott Placek

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]



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Serving Texas Schools Since 1949

Opting Out of Standardized Tests

Published online in [TASB School Law eSource](#)

Many parents, and even many educators, are dismayed by the frequency of and emphasis on standardized tests in public schools. When the No Child Left Behind Act (NCLB) was signed into law in 2002, every state prescribed standardized testing to comply with state plan requirements. School districts' accountability ratings and reputations became intertwined with standardized test scores. Many felt the emphasis on test scores resulted in an increase in the stress on students, teachers, and administrators and a "teach to the test environment."

When NCLB was replaced by the Every Student Succeeds Act (ESSA) in December of 2015, the new law gave states some leeway in how students were assessed and how assessment would factor into school accountability. However, school accountability is still tied to academic achievement, and Texas, by virtue of its current accountability system, still measures academic success on summative standardized exams.

In Texas, parents who object to standardized testing are publicly discussing the idea of "opting out," either by keeping their children at home on test dates or by permitting them to abstain from testing. These parents have the right to express their opinions, of course. For example, they might file a grievance at the local level, or, even better, express their points of view to state and federal lawmakers who have the power to change testing requirements. However, actually "opting out" is not as easy as it sounds, and there are important consequences parents should consider.

School officials are tasked with the application of state rules on opting out, but engaging parents in a more personal dialogue can be an effective compliance tool. The questions and answers below give an overview of the practice of opting out.

1. What standardized tests are required in Texas public schools?

Standardized testing is required in Texas public schools by the State of Texas Assessments of Academic Readiness, or "STAAR," program set out in Texas Education Code chapter 39 and 19 Texas Administrative Code chapter 101. The Texas Education Agency (TEA) publishes detailed information on their [STAAR assessment](#) website.

Testing in Grades 3-8: Unless exempt, all students in grades 3-8 take the following STAAR tests:

- Math, annually in grades 3 through 8;

- Reading, annually in grades 3 through 8;
- Social studies in grade 8;
- Science in grades 5 and 8; and
- Any other subject and grade required by federal law.

Tex. Educ. Code § 39.023(a).

Writing: To comply with federal requirements, TEA will integrate writing into the reading assessment in the 2021-22 school year. Tex. Educ. Agency, [To the Administrator Addressed Letter Re: Reading Language Arts \(RLA\) Assessment Transition](#), Aug. 12, 2019.

High School End-of-Course Exams: Students must pass five end-of-course (EOC) exams to graduate: Algebra I, Biology, English I (including reading and writing in a single exam), English II (including reading and writing in a single exam), and U.S. History. In some instances, performance on certain assessments, including ACT, SAT, and TSI, can be used to satisfy EOC requirements. For more information about EOC substitute assessments, see TEA's [Substitute Assessment Standards Chart](#).

Benchmark Testing: A “benchmark” test is a locally-required assessment instrument designed to prepare students for a corresponding state-administered assessment instrument. A school district may not administer more than two benchmark tests to prepare students for the related state-administered assessment. Tex. Educ. Code § 39.0263. In addition, a district may not administer locally-required benchmark tests on more than ten percent of the instructional days in any school year. District campus-level planning and decision-making committees may limit the percentage of instructional days available for benchmark testing to ten percent or less. Tex. Educ. Code § 39.0262.

Interim Testing: TEA maintains online interim assessments for school districts. These assessments align with the TEKS, include some former STAAR items, and are available at no cost to districts. Interim assessments are optional for school districts and are not tied to accountability ratings. For more information about interim testing, see [TEA's STAAR Interim Assessments website](#).

2. What does federal law say about opting out?

ESSA, like its predecessor, NCLB, requires districts to measure the achievement of at least 95 percent of all students. Under ESSA, schools that drop below the 95 percent could face consequences from the state. 20 U.S.C. § 6311(c)(4)(E).

Contrary to statements on some anti-testing websites, ESSA does not include a federal right to opt out of standardized assessments. These websites are likely referring to a provision in ESSA that requires districts to provide information to parents regarding the assessment, which may include, “where applicable,” the district’s opt-out policy. As described below, an opt-out policy is not applicable in Texas, therefore school districts in Texas do not need to provide parents with information on an opt-out policy. Districts must, however, provide parents with information regarding their children’s participation in the assessment. 20 U.S.C. § 6312(e)(2).

3. Is there a right to “opt out” of standardized tests in Texas public schools?

No, in fact just the opposite. State law makes it clear that students may not opt out of standardized or any other tests. Texas Education Code section 26.010 states the following:

EXEMPTION FROM INSTRUCTION. (a) A parent is entitled to remove the parent’s child temporarily from a class or other school activity that conflicts with the parent’s religious or moral beliefs if the parent presents or delivers to the teacher of the parent’s child a written statement authorizing the removal of the child from the class or other school activity. **A parent is not entitled to remove the parent’s child from a class or other school activity to avoid a test** or to prevent the child from taking a subject for an entire semester.

(b) **This section does not exempt a child from satisfying grade level or graduation requirements in a manner acceptable to the school district and the agency.**
(emphasis added)

4. What are the consequences of missing school on a testing date?

Makeup Tests: First, it is important to note that missing school on a single designated test date will not necessarily cause a student to miss the testing opportunity. Although districts publish a schedule of specific test dates for STAAR, most tests are administered within a testing “window” set by TEA. If a student who has been absent returns to school during the testing window, the student may be asked to sit for the exam at that time. Makeup test dates are also scheduled (beyond the window) for most assessments.

Compulsory Attendance: Depending on the circumstances, a student may be subject to truancy prevention measures and a parent may commit the offense of contributing to nonattendance, if the student fails to attend school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period. Tex. Educ. Code § 25.093; Tex. Fam. Code § 65.003.

By law, a school district is required to notify a student's parent and seek a conference if the student has been absent from school without excuse on three days or parts of days within a four-week period.

The notice must inform the parent of the following:

- It is the parent's duty to monitor the student's school attendance and require the student to attend school, and
- The student is subject to truancy prevention measures.

Tex. Educ. Code § 25.095.

Like the state testing requirements, notice and enforcement of attendance laws are not optional for school districts.

Attendance for Credit: Failure to attend on a test date or during a testing window would also be taken into consideration for the purposes of the 90 percent attendance rule. A student in any grade K-12 may not receive credit or a final grade if the student attends class less than 90 percent of the days the class is offered, absent extenuating circumstances as determined by a local attendance committee or, in some cases, the campus principal in accordance with board policy. Tex. Educ. Code § 25.092.

5. **What about being present but not testing?**

All eligible students present at school on a test date must be included in the test administration. Campus officials must submit a score code for every student, in accordance with TEA test administration guidelines.

Questions have arisen about whether a campus could allow a student who is present at school, but whose parent has indicated a desire to "opt out" of the test, to go to a supervised location other than the testing site to complete other schoolwork. School officials considering offering this option should consult with the district's school attorney. At a minimum, the district should clarify for parents that waiting in an alternative location is not truly "opting out." A test must be submitted and scored on behalf of the student, which might result in academic consequences for the student. In addition, the campus is obligated to maintain a secure test environment throughout the test administration in accordance with TEA test security requirements. Test security requirements may limit alternative locations or activities for students not taking the test.

6. What if a parent chooses to withdraw a child before a testing window with the intent of re-enrolling afterwards?

A parent who is withdrawing a child from enrollment is not seeking a temporary absence to avoid testing; instead, the parent is withdrawing from enrollment entirely. Even if the school district suspects that the parent is likely to reenroll, the district has no grounds to refuse to withdraw the child.

7. What is the consequence to a student for not completing standardized tests?

Promotion and Grade Considerations: Passing a standardized assessment is no longer required for grade promotion in grades 5 and 8 (or any grade below grade 8). However, while a student's performance on a state assessment is not directly tied to grade promotion, a student's score on an applicable state assessment must be considered as a factor in promotion. Tex. Educ. Code § 28.021(c).

Additional Instructional Requirements: A student who does not complete the STAAR exam earns a score of zero, which is unsatisfactory performance on the STAAR. Each time a student does not perform satisfactorily on STAAR in grades 3 through 8, the district is required to provide the student with accelerated instruction. Districts can satisfy the accelerated instruction requirement by assigning the student to a classroom teacher who holds certain designations under the local optional teacher designation system or by providing the student with tutoring that meets the statutory requirements (see EHBC(LEGAL)). Tex. Educ. Code § 28.0211.

High School Graduation: Students must pass the five end-of-course exams or an acceptable substitute in order to graduate, as described above. A student who does not perform satisfactorily on the STAAR test in no more than two courses may be permitted to graduate if an individual graduation committee determines the student is qualified to do so. By local policy, a school district may also issue a certificate of coursework completion to a student who successfully completes curriculum requirements but who fails required state assessment tests. Tex. Educ. Code §§ 28.025(d), .0258; 19 Tex. Admin. Code § 101.3022. Students who do not perform satisfactorily on an EOC assessment must also be provided with accelerated instruction. Tex. Educ. Code §§ 29.081, .0217.

8. What can a school district do to address the problems that are associated with opting out of standardized testing?

A student's refusal to participate in required testing affects the campus's accountability ratings by lowering the school's participation and passing rates. When a campus's accountability ratings go down, the entire community is affected.

Although pressuring a parent is usually unproductive, the school may be able to initiate discussion to address parental concerns. Stress-related concerns can sometimes be addressed by allowable accommodations, working with a counselor, or training teachers to provide stress reduction in the classroom. Ideally, districts and parents can partner to address concerns.

This document is continually updated at tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Instruction/documents/opt_out_standardized_tests.pdf. For more information on school law topics, visit TASB School Law eSource at schollawesource.tasb.org.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations

Updated February 2022

From Notes for Regular Meeting_October 12, 2022 <https://www.nazarethisd.net/Page/30>

6.H Transportation—

[p.p. 52-55]

We should have four options to consider. At the coaches' request, I asked that one of the options had some lettering on the side of the bus. Those should be available by the meeting.

6.I Personnel—

After our last meeting I visited with [REDACTED] had already started tag-team coaching with [REDACTED] teacher, [REDACTED]. She has been very receptive to their guidance, and they have seen a lot of growth in a short time.

6.J Administrative changes to 2022-2023 School Calendar—Not applicable

6.K EIE(LOCAL) Update—Retention & Promotion

I have been looking at our EIE policy on Retention and Promotion to see if there anything we could put in place if we have some parents who follow through with their plans to "opt out" of state testing. While there is one statement in the (LEGAL) portion of the policy that says we can consider state assessments, there is really nothing in our (LOCAL) policy to actually hang our hat on to do so. Plus, any changes to this (LOCAL) policy would have to be done prior to the start of school. So, we would not be able to do anything with this policy before next year.

6.L CKC(LOCAL) Update

6.M BOE Training Opportunities

1. *Team of Eight Training-EISO (SB1566) Training—Hereford ISD, Oct 18 @ 6:00 pm*
2. *Fall School Board Conference—November 15th—9:00 am-3:00 pm (5 hours of credit available)*

**FYI—The SBOE requires the following areas of continuing education for experienced trustees:*

- *Update to the Texas Education Code (after regular legislative sessions and special sessions on education)—sufficient length to cover major changes*
- *Team Building (annually with entire board and superintendent)—3 hours*
- *Additional Continuing Education—5 hours*
- *Evaluation Student Academic Performance and Setting Goals (by 2nd anniversary of completion of previous training)—3 hours*
- *Identifying and reporting Abuse and Trafficking (by 2nd anniversary of completion of previous training)—1 hour*
- *Cybersecurity—As certified by the Texas Dept of Information Resources*

We will need Mitchell, Mac, and Alan to sign their Technology AUP

Did everyone do their SBOE School Safety Training online through TEA Learn by the September 30, 2022 deadline?

4.L STAAR Testing Updates

We finished up STAAR testing this week. We had two 3rd graders “opt out” of the STAAR Reading by submitting blank answer documents but then only one of them also “opted out” of the STAAR Math. I have been working with Jarod Russell at Underwood Law and then with Valerie Connor, our TASB Policy rep to see if there are ways to punch up our policies and what TASB has been helping other districts with concerning these parents. Jarod is currently seeing if there are ways to beef our EIE(Local) on Promoting and Retention. As far as actual consequences, the only thing we currently have is the HB4545 requirement of providing 30 hours of accelerated instruction per failed assessment; however, there are certain limitations in administrating that as well.

4.M Summer Hours

[p. 47]

As in the past, we will continue to operate and be open Monday through Thursday during the months of June and July. I have included a schedule for your information and reference.

4.N BOE Training Opportunities

[p. 48]

- 1. TASB Spring Workshop at WTAMU—Wednesday, May 17—Information included
- 2. TASB Summer Leadership Institute—San Antonio June 14-17 or Fort Worth June 21-24

5. Consent Agenda

(Action Item)

[p.p. 49-53]

- 5.A Consider approval of the minutes of regular meeting on April 12, 2023**
- 5.B Consider approval of finance reports**
- 5.C Consider approval of current check payment list**
- 5.D Consider approval of budget amendments—as applicable**
- 5.E Consider approval of administrative changes to 2022-2023 school calendar**
- 5.F Consider approval of 2023-2024 NHS Course Guide—if applicable**

Please find a draft copy of the minutes from the Regular Meeting on April 12, 2023.

April financial reports and current check lists for April/May were presented and reviewed under the Superintendent’s Report section of the meeting.

Budget amendments to consider and approve this month—if applicable.

Administrative changes to 2022-2023 school calendar—if applicable

The NHS Course Guide was presented (if applicable) in the Principal’s Report for your consideration.

RECOMMENDATIONS:

- Approve the April 13, 2022 regular meeting minutes.*
- Approve the finance reports as presented.*
- Approve of bills as presented.*
- Approve the budget amendments—if applicable*
- Approve the administrative changes to the 2022-2023 school calendar—if applicable*
- Approve the NHS Course Guide for the 2023-2024 school year.*



Kara Garlitz <kara.garlitz@nazarethisd.net>

EIE(Local) question

1 message

Kara Garlitz <kara.garlitz@nazarethisd.net>
To: Valerie Conner <valerie.conner@tasb.org>

Fri, Jul 7, 2023 at 11:33 AM

Hi Valerie!

I believe I visited with you earlier about trying to beef up our EIE(LOCAL) Retention and Promotion Policy to combat against parents thinking they can "Opt Out" of STAAR for their students.

I know we need to get it taken care of prior to the school year starting. Who do I need to visit with at TASB to see if what we would like to look at will work in relation to EIE(Legal)?

I have attached our EIE(Local) with our ideas for beefing it up.

Dr. G

Kara Sue Garlitz, EdD
Nazareth ISD Superintendent
(806) 945-2231

 **EIE(LOCAL)_Nazareth_with potential changes.docx**
35K

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.

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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.
3. **Mastery of the skills necessary for success at the next level shall also be validated by performance on state assessments. Achievement at least at the minimal performance level on assessment instruments administered under Education Code 39.023(a), (b), or (l) shall be required.**

Grades 1–2

In grades 1–2, 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 3–8

In grades 3–8, 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-, and

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

- at least a minimal performance level on administered state assessments
- Grades 9–12 Grade-level advancement for students in grades 9–12 shall be earned by course credits. [See E]
- Retention Committee
- When the Standards of Mastery are not met by a student, the district must convene a retention committee and meet with the parent or guardian to discuss retention or promotion.
- A retention committee shall be composed of:
1. The principal or the principal's designee;
 2. The student's parent or guardian;
 3. The teacher who taught the grade or course for which the student did not meet the Standard of Mastery; and
 4. Additional teachers at the discretion of the principal if the student will potentially repeat multiple courses.
- A retention committee shall:
1. Discuss the merits of and concerns with retention and promotion; and
 2. Review and consider the student's grade in each subject or course, the results of any formative or summative assessments, including state 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.
 3. Determine the accelerated instructional support that will be needed the next academic year for the student.
- The student will be retained unless there is a unanimous decision by the retention committee to advance/promote the student.

4.I Personnel

[p. 32]

I have included Trae Hannon's letter of resignation that I accepted.

4.J School Calendar

4.K Transfer Students 2023-2024

Nothing new to report at this time

4.L 2023-2024 Handbooks & Code of Conduct

1. *Employee Handbook*—included

[p.p. 33--111]

2. *Student Handbook*—will be ready by the meeting*

[p.p. 112-222]

3. *Extracurricular Handbook and Practice Guidelines*—included

[p.p. 223-229]

4. *Student Code of Conduct*—will be ready by the meeting*

[p.p. 230-272]

*we are waiting for the updated TASB Model to be released

4.M TASB Localized Policy Manual Update 121

[p.p. 273-297]

This is the 2nd reading of this update. This will be considered under the Consent Agenda. Included is the explanatory notes from TASB. Most are tweaks and clarifications to LEGAL policies that you will not need to approve. Here is a brief description of the LOCAL policy updates. None of these require decisions by the board:

1. CCGB(LOCAL)—add the expiration date of the Texas Economic Development Act on December 31, 2022.
2. CFB(LOCAL)—revisions regarding capitalization thresholds as amended in GASB 2021-1
3. CLB(LOCAL)—IPM includes district-owned residential property (if used for student housing)
4. CRF(LOCAL)—updated to accommodate the new adoption date function in Policy Online
5. CVA(LOCAL)—authorizes superintendent to delegate responsibilities to other employees where there is no need to reference the superintendent's designee.
6. CVB(LOCAL)-- authorizes superintendent to delegate responsibilities to other employees where there is no need to reference the superintendent's designee.
7. DEA(LOCAL)—replaces "bimonthly" with "semi-monthly."
8. FD(LOCAL)—awarding credit to student who is homeless or in substitute care.
9. FFI(LOCAL)—updated to meet minimum standards for bullying prevention completed by TEA on January 31, 2023.

4.N EIE(LOCAL)

[p.p. 298-299]

Trying to beef up our EIC(LOCAL) to address the "opting out" of STAAR. I should hear back from TASB to see if the suggestions will work as presented, or if we would need to clean up some of the language. If so, this will be the first reading. It ties the testing into the standards of mastery for retention and promotion (and draws from old policies regarding Grade Placement Committees back when 3rd, 5th, and 8th had to pass STAAR Reading/Math to be promoted).

4.O VATRE Update

There is an action item later where if you decide to pursue a Voter Approved Tax Ratification Election to recoup the 0.0053 from an error made in 2020, we would need to approve an efficiency audit this month and then call for an election in August.

4.P Region 16 Contracts for 2023-2024

[p.p. 300-301]

under the Consent Agenda you will consider approving the contracts through ESC 16.



Kara Garlitz <kara.garlitz@nazarethisd.net>

Re: EIE(Local) question

1 message

Kara Garlitz <kara.garlitz@nazarethisd.net>
To: Valerie Conner <Valerie.Conner@tasb.org>

Fri, Jul 21, 2023 at 11:27 AM

"Approaches Grade Level" is the minimum passing standard on STAAR we'd like to use.

Dr. G

Kara Sue Garlitz, EdD
Nazareth ISD Superintendent
(806) 945-2231

On Fri, Jul 21, 2023 at 8:31 AM Valerie Conner <Valerie.Conner@tasb.org> wrote:

Good morning Kara,

I'm working on your draft and need a little clarification on the minimum STAAR level a student can get and still be promoted. The draft you sent says "at least at the minimal performance level". I'm guessing that means they have to score at least Level I Unsatisfactory Academic Performance since that is the lowest performance level. If that is the case then I need to be clear in policy that the level I performance level is required.

If it needs to be Level II Satisfactory Academic Performance and if they don't meet it the committee makes the decision, I need to put level 2. If you can clarify which level is the minimum level required for promotion I'll send over the draft.

Val

From: Kara Garlitz <kara.garlitz@nazarethisd.net>
Sent: Wednesday, July 12, 2023 12:53 PM
To: Valerie Conner <Valerie.Conner@tasb.org>
Subject: Re: EIE(Local) question

Yes, I am available after 10 am on Thursday.

Dr. G

Kara Sue Garlitz, EdD
Nazareth ISD Superintendent

NISD-TXER PIR 14

On Wed, Jul 12, 2023 at 8:01 AM Valerie Conner <Valerie.Conner@tasb.org> wrote:

Good morning Kara,

I apologize it has taken me so long to respond. I came back from vacation to 104 emails. I think I may have a suggestion to discuss with you that wouldn't require a policy change and would require less work on the part of the staff. I'm in back to back meetings today, but would you have any time tomorrow for a quick phone call so we can visit?

Val



Val Conner

(she/her/hers)

*Policy Consultant
Policy Service*

Texas Association of School Boards
12007 Research Blvd. • Austin, Texas 78759-2439
512.505.2439

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From: Kara Garlitz <kara.garlitz@nazarethisd.net>
Sent: Friday, July 7, 2023 11:33 AM
To: Valerie Conner <Valerie.Conner@tasb.org>
Subject: EIE(Local) question

Hi Valerie!

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NISD-TXER PIR 15

Kara Sue Garlitz, EdD

Nazareth ISD Superintendent

(806) 945-2231



Gmail

Kara Garlitz <kara.garlitz@nazarethisd.net>

Revised EIE Draft

1 message

Valerie Conner <Valerie.Conner@tasb.org>
To: Kara Garlitz <kara.garlitz@nazarethisd.net>

Fri, Jul 21, 2023 at 12:10 PM

Good afternoon Kara,

Attached is the revised draft. Let me know when the board adopts it and I'll get it processed for you. Have a great weekend!

Val



Val Conner

(she/her/hers)

*Policy Consultant
Policy Service*

Texas Association of School Boards
12007 Research Blvd. • Austin, Texas 78759-2439
512.505.2439

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Nazareth ISD; EIE(L)-X Proposed Revisions; 7-21-23.pdf
86K

Nazareth ISD
035903

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

PROPOSED REVISIONS

Curriculum Mastery

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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.
- ~~2.3.~~ Mastery of the skills necessary for success at the next level shall also be validated by performance on state assessments. Achievement of at least approaches grade level on state assessment instruments shall be required.

Grades 1-~~28~~

In grades 1-~~28~~, 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 3-8

In grades 3-8, 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, achievement of at least approaches grade level on state assessment instruments, and a grade of 70 or above in three of the following areas: language arts, mathematics, science, and social studies.

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

Grades 9–12

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

Retention
Committee

When the standards of mastery are not met by a student, the district shall convene a retention committee and meet with the parent or guardian to discuss retention or promotion.

The retention committee shall be composed of:

1. The principal or the principal's designee;
2. The student's parent or guardian;
3. The teacher who taught the grade or course for which the student did not meet the standard of mastery; and
4. Additional teachers at the discretion of the principal if the student will potentially repeat multiple courses.

The retention committee shall:

1. Discuss the merits of and concerns with retention and promotion;
2. Review and consider the student's grade in each subject or course, the results of any formative or summative assessments, including state 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; and
3. Determine the accelerated instructional support that will be needed the next academic year for the student.

The student shall be retained unless there is a unanimous decision by the retention committee to promote the student.

6. Deliberation and possible action to set the Board meeting date for public hearing on 2023-2024 budget and proposed tax rate. (Action Item) [p. 20]

I will ask you to consider scheduling a public hearing to discuss the 2023-2024 Budget and 2022 Tax Rate on Monday, August 21.

These items will be presented at the meeting during the public budget hearing:

- *Notice of Public Meeting to Discuss Budget and Proposed Tax Rate on August 21, 2021*
- *2023-2024 Budget Details & Summaries*
- *Web posting of Budget Summary Report*

RECOMMENDATION:

Consider conducting a public hearing on the 2023-2024 Budget and 2023 Tax Rate for Monday, August 21, 2023 and authorize the superintendent to take all action necessary to ensure that notices are posted and filed as required.

7. Consider action on matters related to Local Policy Revision EIE (Action Item) [p.p. 21-23]

At our July 12 meeting, we had a 1st reading of updates to EIE (Local) Academic Achievement Retention and Promotion and discussed possible updates/ changes.

Included is the official TASB markup of our original policy with all the changes for the 2nd reading, including the clarifications on “minimal performance level.” Our TASB policy advisor, Valerie Connor did run it by their legal department prior to sending it back.

RECOMMENDATION:

Consider approval as amended/presented updates to policy EIE(Local)

8. Board members’ comments and questions

9. Adjournment

Nazareth ISD
035903

ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

EIE
(LOCAL)

PROPOSED REVISIONS

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.
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