

Level Two Appeal Notice

To appeal a Level One decision, or the lack of a timely response after a Level One conference, please fill out this form completely and submit it by hand delivery, fax, or U.S. mail to *The Elementary or Secondary Chief's Office, 100 N University Drive, Fort Worth, TX 76107* within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline as per FNG (LOCAL). Appeals will be heard in accordance with FNG (LEGAL) and (LOCAL) or any exceptions outlined therein.

Name: _____

Address: _____

Telephone number: _____

Campus: Benbrook Middle High School

If you will be represented in voicing your complaint, please identify the person representing you.

Name: N/A

Address: _____

Telephone number: _____

To whom did you present your complaint at Level One? Dr. Miguel Serrano

Date of conference: Friday, November 10, 2023

Date you received a response to the Level One conference: December 5, 2023 (deadline was extended by mutual agreement)

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

See following pages

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

Attach a copy of the Level One response being appealed, if applicable.

Student or parent signature: _____

Signature of student's or parent's representative: _____

Date of filing: December 18, 2023

Note: If I don't hear otherwise from the district, I will use the school calendar to compute business days related to the 10-day response window. I believe the last business day before winter break (at least for teachers) is December 22, 2023 and the 1st business day after winter break is January 8, 2024.

January 15, 2024 is MLK, Jr Holiday. Thus, 01/16/2024 is the due date for a submission on 12/18/2023.

Overview and Table of Contents

In this appeal I am going to address the allegations in a different order. This is the order in which I discovered them. They retain their original numbering.

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Allegation #3

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

Dr. Serrano: "After the initial complaint from Mr. Concerned to Mr. Penland (Exhibit 3), a meeting was held on September 15 at 10:00 a.m. between Ms. Davies, FWISD Athletic Director Amanda Cofer, Benbrook Middle High School Athletic Coordinator, Esoleta Lofton, Athletic Administrator, Linda Grubbs and Principal, Richard Penland. The meeting reviewed the parent issues with Ms. Davies including her work with the 212 Volleyball Club. Based on the UIL rules and guidelines, the group did not identify a conflict of interest between Ms. Davies' District coaching position and her position with 212 Volleyball Club."

- a. The biggest point to clarify is that Dr. Serrano is ***not*** referencing my Level 1 complaint. In fact, my main disagreement is that FWISD has yet to investigate the elements of Allegation #3 in my Level 1 complaint. To say he stumbled out of the gate is an understatement.
- b. Dr. Serrano is referencing an informal parent complaint in which I highlighted Ms. Davies behavior on the court and her well-documented and well-known histrionic anger directed at players. I made a loose reference to Frances Davies showing a preference for playing girls who joined 212. I also included a comment from another parent stating she saw the same thing two years ago.
- c. It wasn't until September 28th at 8:40am that I sent my email identifying the specific conflict of interest related to the Recruiting Coordinator position. Mr. Penland responded 2-hours and 27-minutes later at 11:07am saying he did not see a conflict of interest.
 - a. It was also around this time I discovered FWISD had a formal Level 1 – Level 2 – Level 3 Grievance process. Mr. Penland ignored my requests for the official Level 1 form for weeks (which is documented).
 - b. The information in my September 28 email focused on the Conflict of Interest statement in the **FWISD BOARD POLICY MANUAL** and the FWISD Employee Manual.
 - c. It wasn't until I realized that FWISD is two-faced on this matter that I had to take my investigation to the state level rules: UIL, SBEC, and now USAV/USOC, and filed a formal Level 1 complaint.
- d. In the meeting on September 15, FWISD asked Frances Davies if she felt she was engaging in a conflict of interest, and she said "no." This was FWISD's first "Kim Luc" investigation into the matter.
- e. Folks, we are WAY past the information I presented on September 15, 2023. We've been WAY past that date for a LONG time. The information I presented on September 28 and have *continued* to elaborate on since then is what FWISD needs to investigate.

I received this information! Once again, it is PRICELESS!
I'm saving the details for the Level 3 Appeal. FWISD needs to screw-up
the Level 2 "investigation" so I have more evidence for the UIL.

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FNG
(EXHIBIT)

Dr. Serrano: "As part of his investigation into these complaints, Mr. Penland requested that the 212 Volleyball Club provide a description of Ms. Davies's duties (Exhibit 4)."

- a. Side Note: On 12/6/2023, I submitted a Records Request to obtain the emails related to Mr. Penland's request and Ms. McNeal's response. I point this out to illustrate that the 10-day windows governing the grievance process often conflicts with the time it takes to get actual evidence.
- b. I'll give FWISD a hint – asking someone who directly benefits from the person violating the rules to submit an explanation contemporaneous to an investigation fails based on the notion that people who violate the rules have a vested interest in explaining it away and covering it up. Leaders who do not understand this concept are unfit to lead.
- c. From my investigation standpoint, the document submitted by Lauren McNeal is priceless. It pointed me exactly where I needed to look to further prove the Conflict of Interest. The fact that FWISD included it in the Level 1 Response is also priceless as it allows me to present rebuttal evidence. It also provides me the opportunity to show how Ms. McNeal appears to be changing Internet information to conform to her "spin" on the situation and mask the clear conflict of interest she is involved in. I expand further in L2, Exhibit 2.
- d. Richard Penland asked the person benefiting from the conflict of interest, Lauren McNeal, if she felt there was a conflict of interest and she replied, "no." This is the second "Kim Luc" investigation.

Dr. Serrano: "Mr. Penland also made a call to UIL to review those duties to see if they violated any UIL rules." (emphasis added)

- a. People who violate the rules (or are an accessory to those violating the rules) prefer to keep things off the record by doing everything verbally. Just ask lawyers and judges in Family Court. *(Did you know there is no record kept in the Associate Courts where the vast majority of the decisions are made?)*
- b. The information Richard Penland presented in this phone call was based entirely on the Kim Luc method of investigation. Richard Penland had ZERO actual evidence. Not even the Great and Wonderful Oz sitting behind the curtain at FWISD could ascertain the extent to which a conflict exists without seeing the contract, emails, and payments made in accordance with the creating and executing the contract. It just simply can't be done.

The Rubber Stamp

Dr. Serrano came along and rubber-stamped it. Here is an encapsulation of what he did to investigate...

<i>Dr. Serrano:</i>	<i>"How do did you determine if a conflict of interest exists?"</i>
<i>Penland:</i>	<i>"Before I even knew the conflict of interest existed, I asked the person who was later accused of engaging in the conflict of interest if they are engaging in a conflict of interest and they said, No."</i>
<i>Dr. Serrano:</i>	<i>"Did you do anything else?"</i>
<i>Penland:</i>	<i>"Then I asked the person whose private company gets a free ride on taxpayer money if they felt there was a conflict of interest and they said, no."</i>
<i>Dr. Serrano:</i>	<i>"Did you get any official input?"</i>
<i>Penland:</i>	<i>"Yes, I called the UIL and told them that the two people who are accused of engaging in a conflict of interest and who financially benefit from it said they weren't doing anything wrong."</i>
<i>Dr. Serrano:</i>	<i>"Anything else?"</i>
<i>Penland:</i>	<i>"Yes. Three other people were in the first meeting. They agreed that the people who financially benefit from the conflict of interest said they weren't engaging in a conflict of interest."</i>
<i>Dr. Serrano:</i>	<i>"Do you mean the meeting when you pre-addressed an issue that was brought to your attention two weeks later?"</i>
<i>Penland:</i>	<i>"Yes."</i>
<i>Dr. Serrano:</i>	<i>"You make the FWISD proud! There's no need to look at contracts, emails, actual activity documented on the Internet showing a conflict of interest, and the payroll register that documents financial gain."</i>
<i>Penland:</i>	<i>"Can I get back to not doing anything?"</i>
<i>Dr. Serrano:</i>	<i>"We All Can!"</i>
<i>Me:</i>	<i>"Not. So. Fast. I have two more rubber stamps to get, then I send it to UIL, SBEC, USAV, and TEA."</i>
<i>Dr. Ramsey:</i>	<i>"Why are my ears ringing?"</i>

The “work” performed by Miguel Serrano in response to my Level 1 Grievance was NOT an investigation. He regurgitated a sham cover up conducted by Richard Penland on September 15. I hadn’t even identified the *core* factors of the Conflict of Interest at that time.

FWISD HAS NOT PERFORMED An Actual Investigation into this matter.

The meeting on Sep 15 could not have addressed the conflict I brought to light on Sep 28.

The 2-hour and 27-minute “investigation” Richard Penland performed on Sep 28 could not possibly have addressed ANY component of what I submitted.

What follows in the rest of this section is the 1) criteria of an actual investigation, 2) the context of the investigation, which includes definitions of Conflict of Interest, 3) and the results of an investigation I’ve had to do and were prompted by information in the Level 1 Response (L2, Exhibit 2).

You need to figure out if the UIL, SBEC, and USAV are going to believe your cover up... because that’s where *you* are taking us.

A Proper Investigation Requires

I requested the boldface items in the complaint I filed on September 28, 2023. The additional items are made relevant based on the Level One Response.

- 1. A signed copy of all compensation agreements between Frances Davies and 212 Volleyball Club from 2019 to present.**
- 2. A copy of the communication Frances Davies made to her supervisor in 2021 informing FWISD of her role as Recruiting Coordinator for 212.**
- 3. Emails between Frances Davies and Lauren McNeal from 2021 to present in which they discuss recruiting, whether it is for a specific athlete or if it is related to the general position of Recruiting Coordinator.**
4. Given that FWISD has fumbled the second chance they had at doing a proper investigation, I now believe obtaining a signed copy of all compensation agreements, including bonus arrangements, between Frances Davies and FWISD from 2019 to present is warranted.
5. Given that Lauren McNeal and Frances Davies have been untruthful, deceitful, and disingenuous during this entire sham of an investigation, I believe it is reasonable to expect they will forge contract to fit the narrative they’ve fabricated. I believe it is necessary to request a copy of the 212 payroll register showing actual payments made to Frances Davies per the above referenced agreements from January 1, 2021 to present.

Fair Warning: I will file a Level Three Appeal if the response to this Level Two Appeal is absent the above information. The Level One response is nothing but a regurgitation of the bungled and incompetent investigation led by Richard Penland.

Context

Just in case the information in the previous complaints gets lost in the mountain of evidence I'm going to put it in this document, as well.

1. Frances Davies is the head volleyball coach at BMHS. As part of her pay as a public employee, her duties include helping student-athletes get recruited by colleges. She uses FWISD resources to perform these duties.
2. Frances Davies is the Recruiting Coordinator for 212 Volleyball Club in which she helps student-athletes get recruited by colleges.
 - a. She receives extra compensation for this position and that compensation is comprised of a portion of payments from ALL 212 players, including those who attend BMHS and play on her varsity team.
 - b. She also receives coaching compensation that is comprised solely from the players on her 212 team – none of whom attend BMHS (which is completely fine and in accordance with the rules).
 - c. **She uses FWISD resources to perform her 212 Recruiting Coordinator duties.**
 - i. In previous documents I submitted with my Level 1 Grievance I stated Frances Davies' emails would prove this activity. I'm about to prove it another way.
 - d. The fact that she holds a position with 212 that is effectively a management-level position is not only a violation of FWISD policy on conflict of interest but a violation of UIL rules regarding financial gain from student-athlete participation in a club.

*(Momentary Pause: The first two points establish that there is a conflict of interest. This situation is the very definition of conflict of interest. **It's not subject to someone's opinion.** Conflict of Interest has a definition. **THIS. IS. IT.** When people in leadership positions say they don't see a conflict of interest it tells me they are either lying or are incompetent. But there is more...)*

3. Frances Davies receives a BONUS for every student-athlete she helps get signed to a college.

(Another Pause: We have now established that there is a greater extent to the Conflict of Interest. According to numerous players, she brags that she gets a BONUS for each specific player she gets recruited by a college. Once again, we are WAAAY beyond needing someone's opinion as to whether it is or isn't a conflict of interest.

*A person who gets paid by a private employer to do the same job she performs for a public employer – and receives a BONUS to boot! – is the most egregious example of Conflict of Interest there can be. **EVEN IF THAT BONUS IS PAID BY FWISD.***

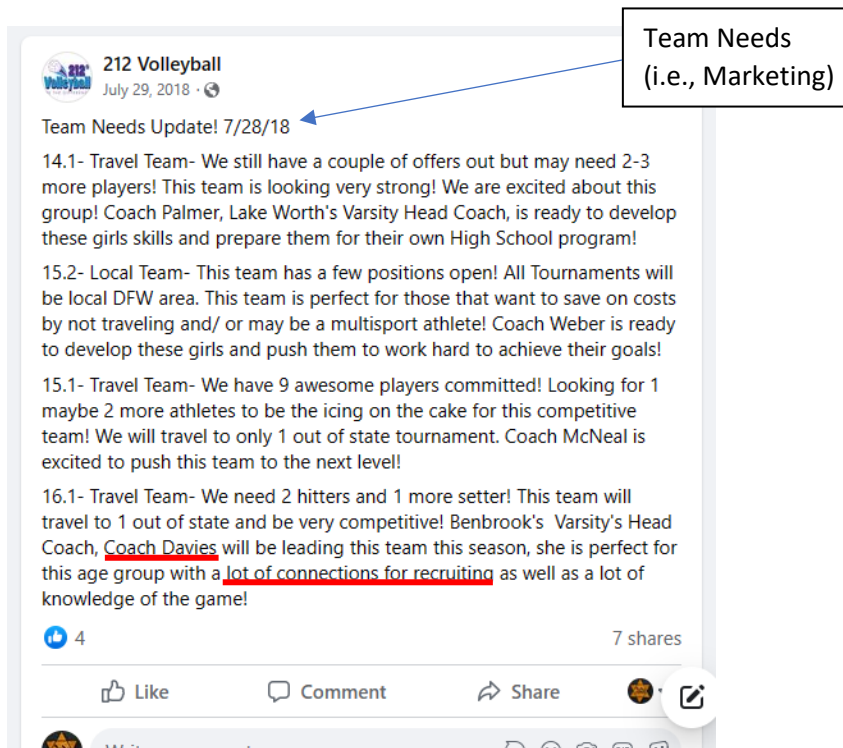
The more you try to say a Conflict of Interest doesn't exist – without investigating the contracts, emails, and payments involved with the relationships in question – the more you show the public how much you don't care that their children are used as pawns for personal financial gain.

A 16% decline in enrollment despite a nearly 20% rise in area population shows the public knows you just provide lip service on this matter.)

4. In Lauren McNeal's undated letter shown in Exhibit 1 to the Level 1 Grievance she states, "In her recruiting coordinator role, none of the 212 athletes that she was supporting in the recruiting process were also BMHS athletes." I'd like to thank FWISD for trying to pass this off as evidence. It allows me now to include it, and any relevant rebuttal evidence, in my appeal.
 - a. **The function Frances Davies performs for both organizations *is identical and inseparable*, a fact that I will prove unequivocally in this document.**
 - b. I don't expect anyone at FWISD to understand this concept. You probably are thinking, "But isn't that how it's supposed to work? We use district resources (i.e., taxpayer money) to make money off students from private employers outside of our public pay all the time. It's how we roll."

5. **Non-Monetary.** In my Level 1 Grievance I clearly identified that Conflicts of Interest have both an Appearance component and a Fact component. Considering FWISD is ignoring the blatant Conflict of Interest in FACT, I will take this time to explain the components of a Conflict of Interest in Appearance. These components are often non-monetary. **The fact that I have to educate you people as to the different elements that constitute a Conflict of Interest is telling.** A real investigation into my Level 1 Grievance would have revealed ALL of it. I'm just doing your job for you and showing you what the results of a real investigation look like.

Club volleyball organizations use their success in getting their athletes recruited by colleges as a HUGE marketing tactic. But don't take my word for it. Let's see what Lauren McNeal, owner of 212 Volleyball has to say about it...



The more student-athletes that 212 can list as "Signed" or "Recruited" the bigger it will get. The bigger it gets the more money it will pay its management-level employees... including Frances Davies, the RECRUITING COORDINATOR. It can even be argued that the more teams 212 fields the more teams Frances Davies will be able to coach, and the more money she will make.

BUT! There doesn't even HAVE to be a financial benefit. Conflict of Interest has an Appearance component that would address intangible things like bragging rights and reputation.

Could Frances Davies' judgement as BMHS varsity coach be impaired and cause her to use the BMHS Varsity team as a practice squad for student-athletes who play at 212 because when they get recruited it makes her look good as the Recruiting Coordinator for 212?

The answer is "Yes, it could impair Davies judgement even if all she received was bragging rights or improved reputation for recruiting prowess in the volleyball community."

"My club got more players recruited than your club."

"Before you decide which club to play for, look in FieldLevel at the number of players recruited at 212, compared to other clubs."

"I coach at 212 because they provide the best opportunity to play at the next level – just look at our results in FieldLevel."

I'm not saying Davies said these things. I'm typing them out to give the reader some examples of how this is a conflict of interest – even IF DAVIES DID IT FOR FREE! The fact that you've dismissed it up until this point just means the burden of proof for you to get out of the hole you dug is greater... MUCH greater. So are the consequences I expect to be handed down.

6. FWISD has already shown it values getting a bonus off the efforts of its students more than it values the student's future. FWISD has also shown it will lie to the public in these matters. I don't care how many FWISD employees say, "*We don't see a conflict of interest.*" In fact, the more of you who say it the deeper the hole is that you dig. This situation is the VERY definition of Conflict of Interest At Every Level: Appearance and Fact.

Rules Applicable and Related Consequences

The documents "*Conflict of Interest – Frances Davies*" and "*Parent Formal Complaint Form – Summary of All*" include extensive references to FWISD Board Policy Manual, FWISD Handbook – Revised July 2022, UIL Constitution & Contest Rules, and State Board for Educator Certification.

I'm now going to provide additional context for my request to at a minimum 1) remove all FWISD coaching duties from Frances Davies and Esoleta Lofton, 2) remove Richard Penland as principal of BMHS, and 3) establish a policy prohibiting FWISD coaches from coaching at 212 Volleyball Club.

I have provided FWISD with an **OBVIOUS, TEXTBOOK, and DEFINITIONAL** case of Conflict of Interest and your response has been, "*We don't see ANY conflict of interest.*" It IS the FWISD CULTURE. You are INCAPABLE of recognizing conflicts... therefore, an employee who abused her position as coach, and her direct supervisors who allowed it to happen, need to be removed from any future temptation. And, the private organization (212 Volleyball Club) that participated in a blatant violation of FWISD Board Policy, UIL Rules, SBEC Rules, AND USAV Rules MUST be recognized as such with a statement from FWISD prohibiting any contractual relationship with FWISD employees.

Allegation #2

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

Dr. Serrano: "Based on a review of the student's Previous Athletic Participation Form and address verification documentation, the student was in the Benbrook Middle High School's attendance zone." (Emphasis added)

It is my understanding of the UIL rules that establishing residency in an attendance zone is not a trump card that automatically overrides the question, "Did the student/family transfer for athletic purposes?"

- a. Section 443: CHANGING SCHOOLS FOR ATHLETIC PURPOSES specifically states:
*"(c) INELIGIBLE. A student who changes schools for athletic purposes is not eligible to compete in varsity UIL athletic contest(s) at the school to which he or she moves for at least one calendar year, **even if both parents move to the new school district attendance zone.**" (Emphasis added.)*

I also believe the UIL knows people will not be truthful in these matters, which is why the UIL gives clear guidance as to what the District Executive Committee needs to look for based on Section 443 (b) COMMON INDICATORS.

I obtained a blank PAPP (Page 1 Revised 07/1/21; Page 2 Revised 08/01/17, included with this appeal as "L2 Exhibit 1") to gain an understanding of the information it requires. Prior to obtaining this document, I thought it was more of a written explanation in support of the transfer. I didn't realize it was a flawed checklist that fails to capture the entirety of the Rules in the C&CR.

1. Question 18. "**Did** the student play on a non-school team and is transferring to the school where members of the non-school team attend?"
 - a. The facts related to this question for [HS Student] are "Yes, the student signed to play on the non-school team (212) **and** transferred to the school where members of the non-school team attend (BMHS) **at the same time** and was attending 212 summer 2023 clinics with students from BMHS."
 - i. Therefore, the answer to the *intent of the question* is a resounding, "Yes."
 - b. If the student/parent answered this question "No" then they are hiding behind semantics of "did" vs. "does"
 - i. I will ask the UIL to consider that an answer of "No" is intentionally untrue and deceptive when they investigate.
 - c. Additionally, Frances Davies and Richard Penland, had to sign this form. I will ask the UIL to hold them equally responsible for the misinformation if question 18 is answered, "No."
2. Unfortunately, the major flaw in the form is that it does not have a question that addresses "**determining if a student played on a non-school team and is transferring to the school where the non-school team coach ... is the school coach;**"

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FNG
(EXHIBIT)

- a. I'm surprised that the form doesn't include this question because it's probably the biggest red flag in determining if a transfer was for athletic purposes.
- b. I will ask the UIL to hold Frances Davies and Richard Penland to a standard that includes the full extent and intent of Section 443 as stated in the code, regardless of whether or not the form captures that information, such that they could not truthfully attest, *"To the best of our knowledge the student is not changing schools for athletic purposes."*

(f) ELIGIBILITY DETERMINATION BY DISTRICT EXECUTIVE COMMITTEE

"(3) If the District Executive Committee where the student now lives finds at any time that the change was made for athletic purposes, it shall declare that student ineligible to participate in athletic contests for one year."

[In Closing Allegation #2](#)

Are the facts listed in Allegation #3 and L2, Exhibit 2 confusing to anyone as to why [HS Student] transferred for athletic purposes... and was possibly (albeit indirectly) recruited by Frances Davies?

When All Is Said And Done...

...FWISD is going to do Nothing. Zip. They're not going to examine the underlying data on any allegation. They are going to use what I call the "Kim Luc" method of investigation. I knew FWISD was compromised when I saw David Saenz use lip-service and platitudes to "creatively explain away" how the district was using children to get bonuses for itself. It was blatant.

The only thing I can do is show parents of Tarrant County that their children are there to be exploited for the personal gain of the adults – from the Trustees on the Board all the way to the coaches on the court.

It's the FWISD Culture.

Kim Luc

M*A*S*H is a classic that stands the test of time. On September 24, 1974 (Season 3, Episode 3) "Officer of the Day" aired. It contained the following, classic exchange...



Hawkeye replied, *"Well, I guess you wouldn't kid me about a thing like that."*

99% of people just go along with the explanation... no matter how self-serving and unsubstantiated it is.

At some point FWISD will realize that, with me, they're dealing with the 1%.

When TV writers do it, it's comedy. When the people responsible for... *"Preparing all students for success in college, career, and community leadership"* do it... it's a tragedy.

When taxpayer money is used so public employees and private organizations can profit of our children... all I have to say is, *"Welcome to Fort Worth ISD!"*

Fort Worth ISD
220905

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FNG
(EXHIBIT)

L2, Exhibit 1 – Blank PAPF

L2, Exhibit 1 – Blank PAPF is included by Reference. I attached it as a PDF to the email I sent submitting the Level 2 Appeal PDF.

I'm not including it as evidence, per se. I'm including because it was the latest version I could find online and I just wanted the "investigator" to have the actual copy I was using in my write-up.

L2, Exhibit 2 – The Start of a Real Investigation

Remember when I said that the information in the Level 1 Response provided me the opportunity not only to rebut it, but to start an actual investigation based on the responses?

Well, here we are...

As such, the information in this exhibit isn't new information. For some inexplicable reason FWISD can't understand the words that clearly explain the Conflict of Interest so I'm supplementing this write-up with pictures. It's sad, but telling, that the people in management and executive level positions who are responsible for "Preparing all students for success in college, career, and community leadership" need pictures to help them understand a simple concept.

FieldLevel

FieldLevel is a major recruiting website. In this Exhibit I'm going to walk the reader through pictures showing how the role of Recruiting Coordinator that is *included* in Frances Davies' job as Head Coach for BMHS is inextricably linked to the role of 212 Recruiting Coordinator that is an *extra* duty performed by Frances Davies *for extra pay*.

This first picture is a screenshot from the 212 Volleyball "roster" page taken on October 4, 2023.

It shows Frances Davies and Lauren McNeal in the COACHES section because Ms. Davies role as Recruiting Coordinator spans every player in 212.

Frances Davies holds the equivalent to a management-level position with 212.

It also connects [HS Student], as a 212 Player, to Frances Davies, as a 212 Coach due to Frances Davies' ROLE as the Recruiting Coordinator for 212.

(see "L2, Exhibit 2 – 212 Coaches" on 2023-10-04 for clearer picture.)

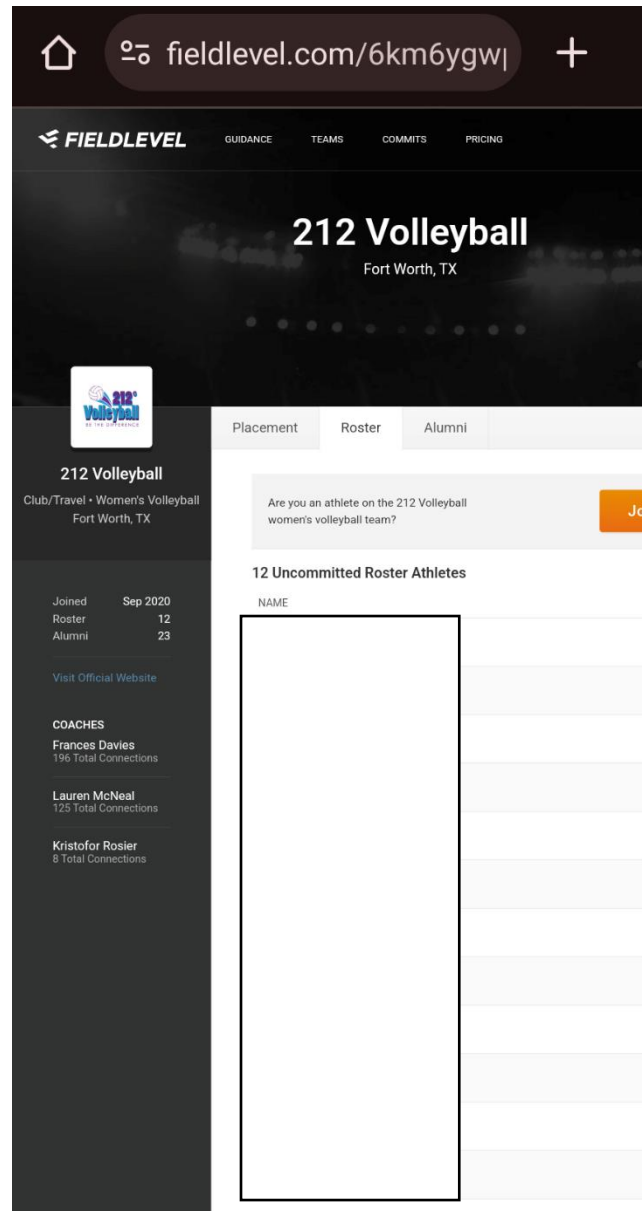
Let's see if Lauren or Frances changed anything after I filed the Level 1 complaint...

L2, Exhibit 2 – Continued...

Yes! The 212 Volleyball page at FieldLevel has been changed recently.

Lauren added Kristofer Rosier to the coach's section.

Kris has been a 212 coach since at least 2019... so why is he just being added now?



(actual link: <https://www.fieldlevel.com/6km6yqwp/volleyballwomen/roster>)

Now let's see if there is any evidence that Frances Davies, in her roles with 212 AND BMHS, is doing recruiting activities, **simultaneously**, for [HS Student]...

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FNG
(EXHIBIT)

L2, Exhibit 2 – Continued...

This screenshot shows that on October 11, 2023 Frances Davies...

- added [HS Student] to FieldLevel,
- then added her to the volleyball roster at Benbrook High School,
- then created a link to [HS Student's] HUDL videos and highlights,
- **then added her to the 212 Volleyball roster**

I decided to be curious and see if I could get information as to how athletes join teams in FieldLevel.

I found this link <https://support.fieldlevel.com/en/articles/811823-how-to-add-athletes-to-your-roster>

which states, *"You can invite athletes to join your roster by sending them an invitation via email and/or phone, by sending them an invite link, or by importing your entire roster."*

Well... that's inconvenient for Ms. McNeal's claim that *"In her recruiting coordinator role, none of the 212 athletes that she was supporting in the recruiting process were also BMHS athletes."*

Hmmm... I wonder if Frances Davies did any other 212 Recruiting Coordinator activity **AND** BMHS Head Coach recruiting activity at the same time on October 11th?

(HINT: Turn the page for the answer...)

The screenshot shows the FieldLevel profile page for Frances Davies, Head Coach at Benbrook High School & Head 18's A... The page has a navigation bar with 'Timeline', 'About', and 'Evaluations'. The timeline shows several events on October 11, 2023:

- An event titled "evaluation update is available to FieldLevel Coaches" with a redacted box next to it.
- An event titled "[Redacted] joined the women's volleyball roster at 212 Volleyball" with a redacted box next to the name and "Club/Travel in Fort Worth, TX" below it.
- An event titled "HUDL LINK" with a redacted box next to it, containing the text "Watch [Redacted]'s videos and highlights on Hudl. More info: Benbrook High School -..." and a link to "www.hudl.com".
- An event titled "[Redacted] joined the women's volleyball roster at Benbrook High School" with a redacted box next to the name and "High School in Fort Worth, TX" below it.
- An event titled "[Redacted] joined FieldLevel" with a redacted box next to the name.

Actual link at [https://www.fieldlevel.com/app/profile/\[Redacted\]/volleyballwomen](https://www.fieldlevel.com/app/profile/[Redacted]/volleyballwomen)

L2, Exhibit 2 – Continued...

Once again, we have some inconvenient facts¹...

FieldLevel shows the following *RECRUITING* activity on **October 11, 2023** for players with a connection to Frances Davies. (Not listed in chronological order except within the activity for each player.) Please see the last page of this document for url links to 212 Volleyball and BMHS Volleyball main pages.

[HS Student] (see list on previous page) – [Connection to Davies: 212 AND BMHS](#)

[redacted] – [Connection to Davies: 212](#); Other: High School = [redacted] (i.e., not FWISD)

- October 11 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches

[redacted] [Connection to Davies: BMHS Varsity](#); Other: Club = FW Fire

- October 11 - [redacted] joined FieldLevel
- October 11 - [redacted] joined the women's volleyball roster at Benbrook High School
- October 11 - Frances Davies posted - HUDL LINK - Watch [redacted] videos and highlights on Hudl. More info: Benbrook High School - Varsity Volleyball / MH / Class of 2025 / Benbrook, TX - www.hudl.com

[redacted] [Connection to Davies: 212](#); Other: HS = [redacted] (i.e., not FWISD)

- October 11 - [redacted] joined FieldLevel
- October 11 - [redacted] joined the women's volleyball roster at 212 Volleyball
- October 11 - Frances Davies posted - [redacted] Hudl link - Watch [redacted]'s videos and highlights on Hudl. More info: [redacted] Varsity Volleyball / OH / Class of 2024 / [redacted] X - www.hudl.com

Let me summarize the above with a “Chorus” as follows:

On this day, Frances Davies sat at a desk and performed 212 Recruiting Coordinator services AND BMHS Head Coach recruiting services at the same time. She did this work for a BMHS student who also plays for 212, 212 players who attend a different school district, and a BMHS student who plays for a club other than 212.

This evidence clearly shows she went from one student to the next student to the next, flipping back and forth between the roles of BMHS Head Volleyball coach and 212 Recruiting Coordinator.

It doesn't matter if she was doing this work from home on her own computer. Personally, I believe she did it from her FWISD work computer... and I'm going to submit an Open Records request to obtain her emails and computer activity on this day.

Let's look at another day in the Recruiting Coordinator activities of Frances Davies, shall we...?

¹ If you are getting annoyed because I'm presenting facts, you have company. Family Court judges, lawyers, and court-appointed therapists get so red-in-the-face at litigants who present facts you'd swear the charlatans are allergic to it. Anyway, I like facts, so I'm going to stick with them.

L2, Exhibit 2 – Continued...

FieldLevel shows the following *RECRUITING* activity on **December 1, 2023** for players with a connection to Frances Davies, as indicated next to the player name. (Not listed in chronological order except within the activity for each player.)

[HS Student] – **Connection to Davies: 212 AND BMHS Varsity**

- December 1 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches

[redacted] – **Connection to Davies: 212; Other: High School = Granbury, TX**

- December 1 - Frances Davies posted [redacted] evaluation update is available to FieldLevel Coaches
- December 1 - Frances Davies posted [redacted]'s HUDL link - Watch [redacted] videos and highlights on Hudl. More info: 360 Volleyball Club - 16 Kaos Red / S, L / Arlington, TX - www.hudl.com

[redacted] – **Connection to Davies: 212; Other: High School = AHHS**

- December 1 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches

[redacted] – **Connection to Davies: BMHS Varsity; Other: Club = FW Fire**

- December 1 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches

[redacted] – **Connection to Davies: 212; Other: High School = North Side High School**

- December 1 - Frances Davies posted [redacted] evaluation update is available to FieldLevel Coaches

[redacted] – **Connection to Davies: 212; Other: High School = Godley, TX**

- December 1 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches
- December 1 - Frances Davies posted - [redacted] HUDL link - Watch [redacted] videos and highlights on Hudl. More info: Godley High School - Girls' Varsity Volleyball / [redacted] / Godley, TX - www.hudl.com

[redacted] – **Connection to Davies: 212; Other: High School = Weatherford, TX**

- December 1 - Frances Davies posted - [redacted] evaluation update is available to FieldLevel Coaches

Chorus

On this day, Frances Davies sat at a desk and performed 212 Recruiting Coordinator services AND BMHS Head Coach recruiting services at the same time. She did this work for a BMHS student who also plays for 212, 212 players who attend a different school district, 212 players who attend another FWISD school, and a BMHS student who plays for a club other than 212.

This evidence clearly shows she went from one student to the next student to the next, flipping back and forth between the roles of BMHS Head Volleyball coach and 212 Recruiting Coordinator.

It doesn't matter if she was doing this work from home on her own computer. Personally, I believe she did it from her FWISD work computer... and I'm going to submit an Open Records request to obtain her emails and computer activity on this day.

Let's look at another day in the Recruiting Coordinator activities of Frances Davies, shall we...?

FieldLevel shows the following *RECRUITING* activity on **August 30, 2022** for players with a connection to Frances Davies , as indicated next to the player name.

- [REDACTED] - Connection to Davies: BMHS and 212
- 8/30/2022 - **Frances Davies posted** - [REDACTED] evaluation update is available to FieldLevel Coaches
- [REDACTED] - Connection to Davies: 212; Other: High School = Brewer (i.e., not FWISD)
- 8/30/2022 - **Frances Davies posted** - Evaluated by Coach Davies - Last updated August 30, 2022
- [REDACTED] - Connection to Davies: BMHS and 212; Other: Also played at 360 Club
- 8/30/2022 - Evaluated by Coach Davies - Last updated August 30, 2022

Chorus

On this day, Frances Davies sat at a desk and performed 212 Recruiting Coordinator services AND BMHS Head Coach recruiting services at the same time. She did this work for a BMHS student who also plays for 212, 212 players who attend a different school district, and a BMHS student who played for 212 and another club.

This evidence clearly shows she went from one student to the next student to the next, flipping back and forth between the roles of BMHS Head Volleyball coach and 212 Recruiting Coordinator.

It doesn't matter if she was doing this work from home on her own computer. Personally, I believe she did it from her FWISD work computer... and I'm going to submit an Open Records request to obtain her emails and computer activity on this day.

In Summary of This Point

At this stage, I have thoroughly refuted Lauren McNeal's claim that Frances Davies didn't perform any recruiting coordinator work for BMHS students in her same role for 212.

SHE'S DOING BOTH JOBS AT THE EXACT SAME TIME, ON THE EXACT SAME COMPUTER, and WITH THE EXACT SAME RESOURCES BECAUSE THEY CANNOT BE SEPARATED. THEY ARE INEXTRICABLY LINKED. PERHAPS HEREIN LIES THE ANSWER TO QUANTUM ENTANGLEMENT.

Now, let me close another door on Lauren McNeal's statement by asking a question,

"From 2022 to present does FieldLevel show any activity from anyone else at 212 performing recruiting activities for BMHS students who play at 212? Anyone? Anyone At All?"

The answer is, *"No! BMHS players who played at 212, after Frances Davies took over their Recruiting Coordinator duties, did not get ANY evaluation or recruiting services in FieldLevel by someone else connected to 212."*

The next page compares a BMHS Student who played for 212 *before* Davies took over as their RC to another BMHS student who played for 212 *after* Davies took over as their Recruiting Coordinator.

[redacted] – BMHS/212 pre-Davies
[redacted] was a BMHS student and a 212 player *prior to* Frances Davies assuming the role as Recruiting Coordinator for 212. [redacted] committed to play at [redacted]... back when Frances Davies was just a coach and Lauren McNeal was the 212 Recruiting Coordinator.

Here are the excerpts from her FieldLevel profile as it relates to BMHS Head Coach activity and 212 Recruiting Coordinator activity...

- On August 29, 2020 Frances Davies (BMHS) posted an evaluation for [redacted] on FieldLevel.
- On November 23, 2020 **Lauren McNeal (212) provided an evaluation** for [redacted] on FieldLevel.

Let's compare that activity to [redacted], a recent graduate of BMHS who played at 212 when Frances Davies was the 212 Recruiting Coordinator...

- On January 18, 2022 Frances Davies (in chronological order):
 - added [redacted] to FieldLevel, then...
 - added [redacted] to the BMHS volleyball roster on FieldLevel, then...
 - **added [redacted] to the 212 volleyball roster on FieldLevel, then...**
 - posted an evaluation of [redacted] on FieldLevel.
 - *(hint: this activity should look familiar. She did the exact same work in the exact same sequence for [HS Student] on October 11, 2023.)*
- On August 30, 2022 Frances Davies updated the evaluation of [redacted] on FieldLevel.
- On October 7, 2022 Frances Davies created a HUDL link to [redacted] videos and highlights on FieldLevel.
- **NO ONE else from 212 did ANY recruiting on FieldLevel for [redacted].** because they didn't need to. 212 pays Frances Davies to be their Recruiting Coordinator which means **212 gets a free ride on taxpayer money for every student who attends BMHS.**

Lauren McNeal, the OWNER of 212, gets free access to FWISD resources through Frances Davies for every 212 player that comes from BMHS.

“Conflict of Interest” has a DEFINITION.

➔ THIS. IS. IT. ⬅

Fort Worth ISD
220905

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(EXHIBIT)

Links to FieldLevel Profiles containing the above information. I also saved screenshots in case any information changes.

212 Volleyball Main Page

<https://www.fieldlevel.com/6km6yggwp/volleyballwomen/placements>

BMHS Main Page

<https://www.fieldlevel.com/r7qjag6r/volleyballwomen/placements>