

# COMMONWEALTH of VIRGINIA

## Board of Education Agenda

**Date of Meeting:** November 17, 2009

**Time:** 8:30 a.m.

**Location:** Jefferson Conference Room, 22<sup>nd</sup> Floor, James Monroe Building  
101 North 14<sup>th</sup> Street, Richmond, Virginia



**8:30 a.m. FULL BOARD CONVENES**

**Moment of Silence**

**Pledge of Allegiance**

**Discussion with the Honorable Timothy M. Kaine, Governor of the Commonwealth of Virginia**

**Approval of Minutes of the October 22, 2009, Meeting of the Board**

**Public Comment**

**Consent Agenda**

- A. First Review of the Notice of Intended Regulation Action (NOIRA) for the *Regulations Governing Career and Technical Education* (8 VAC 20-120-10 et seq.)
- B. Final Review of the Advisory Board on Teacher Education and Licensure's Recommendation Regarding the Certification of Braille Instructors in Response to the Virginia General Assembly House Bill 2224

**Action/Discussion: Board of Education Regulations**

- C. First Review of the Technical Amendments to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (8 VAC 20-81-10 et seq.)

**Action/Discussion Items**

- D. Final Review of a Revised Memorandum of Understanding for Petersburg City Public Schools to Include Compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA)* (8 VAC 20-131-315)
- E. First Review of the Annual Report for State-Funded Remedial Programs

## **Action/Discussion Items (continued)**

- F. First Review of a Report on the Investigation of a Testing Irregularity and Resulting Non-Compliance with 8 VAC 20-131-30 of the Standards for Accrediting Schools at William Fleming High School in Roanoke City for the 2008-2009 School Year
- G. Final Review of Proposed *Economics and Personal Finance Standards of Learning*
- H. Final Review of the Board of Education's *2009 Annual Report on the Condition and Needs of Public Schools in Virginia*
- I. First Review of Proposed Amendments to Virginia's Consolidated State Application Accountability Plan Under the *No Child Left Behind Act of 2001*
- J. First Review of the Advisory Board on Teacher Education and Licensure's Recommended Passing Score for the *School Leaders Licensure Assessment (SLLA)*

## **Report**

- K. Report from the Board of Education's Charter School Application Review Committee on a Proposed Public Charter School Application
- L. Annual Report of the State Special Education Advisory Committee
- M. Annual Report of the Virginia Advisory Committee for Career and Technical Education

**DISCUSSION OF CURRENT ISSUES** - by Board of Education Members and Superintendent of Public Instruction

## **ADJOURNMENT**

## **IMMEDIATELY FOLLOWING ADJOURNMENT OF BUSINESS SESSION**

- **Meeting of the Virginia Schools for the Deaf and Blind Foundation**
- **Public Hearing on the Proposed Revisions to the *Regulations Governing Local School Boards and Divisions***

## **PUBLIC NOTICE**

The Board of Education members will meet for dinner at 6:30 p.m. at the Crowne Plaza Hotel on Monday, November 16, 2009. Items for the Board agenda may be discussed informally at that dinner. No votes will be taken, and it is open to the public. The Board president reserves the right to change the times listed on this agenda depending upon the time constraints during the meeting.

### **GUIDELINES FOR PUBLIC COMMENT**

1. The Board of Education is pleased to receive public comment at each of its regular monthly meetings. In order to allow the Board sufficient time for its other business, the total time allotted to public comment will generally be limited to thirty (30) minutes. Individuals seeking to speak to the Board will be allotted three (3) minutes each.
2. Those wishing to speak to the Board should contact Dr. Margaret Roberts, Executive Assistant for Board Relations at (804) 225-2924. Normally, speakers will be scheduled in the order that their requests are received until the entire allotted time slot has been used. Where issues involving a variety of views are presented before the Board, the Board reserves the right to allocate the time available so as to ensure that the Board hears from different points of view on any particular issue.
3. Speakers are urged to contact Dr. Roberts in advance of the meeting. Because of time limitations, those persons who have not previously registered to speak prior to the day of the Board meeting cannot be assured that they will have an opportunity to appear before the Board.
4. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.

# Board of Education Agenda Item

Item: \_\_\_\_\_ A. \_\_\_\_\_

Date: November 17, 2009

**Topic:** First Review of the Notice of Intended Regulatory Action (NOIRA) for the *Regulations Governing Career and Technical Education (8VAC 20-120-10 et seq.)*

**Presenter:** Mr. Lan Neugent, Assistant Superintendent for Technology and Career Education

**Telephone Number:** 804-225-2757

**E-Mail Address:** Lan.Neugent@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

No previous board review/action

Previous review/action

date \_\_\_\_\_

action \_\_\_\_\_

## Background Information:

The regulations governing career and technical education are complex and are divided into three specific categories: (1) general provisions; (2) administration; and (3) operation of programs. Specific sections of the regulations may be mandated by federal law while others are mandated by state law. Changes in both federal and state laws pertaining to career and technical education have made it necessary to revise the Regulations Governing Career and Technical Education.

Suggested changes in the Regulations Governing Career and Technical Education will include: (1) addition of regulations as mandated by federal (Perkins Act reauthorization of 2006) or state laws; (2) revisions to regulations to reflect changes in federal and state laws; and (3) deletion of any regulations not deemed essential.

## **Summary of Major Elements**

The proposed action is to amend existing regulations. The current regulations should be revised for clarity and to ensure that there are no conflicts with existing Board of Education regulations and state and federal laws. Examples of anticipated changes include:

- a clarification of definition of terms impacted by the Perkins Act reauthorization of 2006, such as “career clusters,” “career pathways,” and “sustained professional development;”
- an identification and clarification of the U. S. Department of Education’s approved Virginia requirements for meeting the performance standards of the Perkins Act of 2006; and
- a clarification of maximum class sizes for career and technical education.

## **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education waive first review and authorize the Virginia Department of Education staff to proceed with the process to review and revise as necessary the Regulations Governing Career and Technical Education.

## **Impact on Resources:**

There may be an administrative impact on some school divisions.

## **Timetable for Further Review/Action:**

The timetable for further action will be governed by the requirements of the Administrative Process Act.



## Notice of Intended Regulatory Action (NOIRA) Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-120-10 through 8 VAC 20-120-170
<b>Regulation title</b>	Regulations Governing Career and Technical Education
<b>Action title</b>	Revision of Regulations
<b>Date this document prepared</b>	October 29, 2009

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 36 (2006) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Purpose

*Please describe the subject matter and intent of the planned regulatory action. Also include a brief explanation of the need for and the goals of the new or amended regulation.*

The regulations governing career and technical education are complex and are divided into three specific categories: (1) general provisions; (2) administration; and (3) operation of programs. Specific sections of the regulations may be mandated by federal law while others are mandated by state law. Changes in both federal and state laws pertaining to career and technical education have made it necessary to revise the *Regulations Governing Career and Technical Education*.

Suggested changes in the *Regulations Governing Career and Technical Education* will include: (1) deletion of any regulations not deemed essential; (2) revisions to regulations to reflect changes in federal and state laws; and (3) addition of regulations as mandated by federal or state laws.

### Legal basis

*Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant law and/or regulation, including Code of Virginia citation and General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. Describe the legal authority and the extent to which the authority is mandatory or discretionary.*

The following is a list of state and federal regulations that, in whole or in part, mandate regulations for career and technical education:

Federal: Part B, Section 121 of the Carl D. Perkins Career and Technical Education Act of 2006 (20USC2301 et. seq.) specifics and details the responsibilities of the eligible state agencies. These responsibilities include the requirement that the participating agency coordinate the development, submission, and implementation of the

State Plan, and evaluate the program, services, and activities assisted under this title, including preparation for nontraditional fields.

State: § 22.1-16. Bylaws and regulations generally.

The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title.

(Code 1950, § 22-19; 1971, Ex. Sess., c. 203; 1980, c. 559.)

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-16>

§ 22.1-227. Board designated to carry out provisions of federal act.

The Board of Education is designated as the State Board of Career and Technical Education to carry out the provisions of the federal Vocational Education Act of 1963, as amended, and as such shall promote and administer the provision of agriculture, business, marketing, home economics, health, technology education, trade and industrial education in the public middle and high schools, regional schools established pursuant to § [22.1-26](#), postsecondary institutions, and other eligible institutions for youth and adults.

For the purposes of this section, "promote" shall not be construed to mandate the implementation of any additional career and technical education programs that are not currently offered.

(Code 1950, § 22-319; 1980, c. 559; 1992, cc. 673, 897; 2001, c. [483](#).)

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-227>

§ 22.1-228. Definitions.

As used in this article:

1. "Career and technical education project" or "project" means a project that supplements the regular career and technical education program in a school division and that is designed to provide effective practical training to students in the secondary schools of the school division and in which participation is optional and voluntary.

(Code 1950, § 22-330.37; 1974, c. 336; 1975, c. 139; 1980, c. 559; 2001, c. [483](#).)

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-228>

§ [22.1-253.13:1](#). Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

D. Local school boards shall also implement the following:

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades; and

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § [22.1-200.03](#).

5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

(1988, cc. 645, 682; 1990, cc. 797, 820, 839; 1991, cc. 295, 304; 1992, cc. 132, 591; 1994, cc. [618](#), [790](#); 1996, cc. [163](#), [522](#); 1997, cc. [466](#), [828](#), [829](#); 1998, cc. [103](#), [602](#), [627](#), [800](#), [816](#), [902](#); 1999, cc. [377](#), [444](#), [445](#), [452](#), [461](#), [488](#), [552](#), [595](#), [994](#); 2000, cc. [504](#), [547](#), [653](#), [662](#), [677](#), [684](#), [710](#), [750](#), [867](#); 2001, c. [483](#); 2002, c. [837](#); 2003, cc. [690](#), [697](#), [714](#), [861](#); 2004, cc. [404](#), [848](#), [939](#), [955](#); 2005, cc. [331](#), [450](#); 2007, c. [234](#); 2008, c. [661](#); 2009, c. [802](#).)

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C1>

## Need

*Please detail the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, delineate any potential issues that may need to be addressed as the regulation is developed.*

The review of Virginia Regulations Governing Career and Technical Education in Virginia should include the following goals:

- Update the regulations to comply with new state and federal laws, such as an identification and clarification of the U. S. Department of Education's approved Virginia requirements for meeting the performance standards of the Perkins Act of 2006;
- Update definitions for consistency with other state and federal regulations dealing with similar issues such as a clarification of definition of terms impacted by the Perkins Act reauthorization of 2006, such as "career clusters," "career pathways," and "sustained professional development;"
- Eliminate any duplication of regulations.

## Substance

*Please detail any changes that will be proposed. For new regulations, include a summary of the proposed regulatory action. Where provisions of an existing regulation are being amended, explain how the existing regulation will be changed.*

A comprehensive review of the Virginia *Regulations Governing Career and Technical Education* in Virginia will be conducted. The regulations will be examined in their entirety, including the requirements for general provisions, administration of career and technical education programs, and operation of career and technical education programs.

## Alternatives

*Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action. Also, please describe the process by which the agency has considered or will consider other alternatives for achieving the need in the most cost-effective manner.*

The proposed action is to amend existing regulations. The current regulations should be revised for clarity and to ensure that there are no conflicts with existing Board of Education regulations and state and federal laws. There are no viable alternatives.

## Public participation

*Please indicate the agency is seeking comments on the intended regulatory action, to include ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments on this notice.*

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The agency is seeking comments on the intended regulatory action, including but not limited to 1) ideas to assist in the development of a proposal, 2) the costs and benefits of the alternatives stated in this background document or other alternatives and 3) potential impacts of the regulation. The agency is also seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the *Code of Virginia*. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit comments may do so at the public hearing or by mail, e-mail, or fax to Elizabeth M. Russell, Office of Career and Technical Education, Virginia Department of Education, P.O. Box 2120, Richmond, Virginia 23218-2120, 804-225-2847 (phone), 804-371-2456 (fax), or [Elizabeth.Russell@doe.virginia.gov](mailto:Elizabeth.Russell@doe.virginia.gov). Written comments must include the name and address of the commenter. In order to be considered, comments must be received by the last day of the public comment period.

A public hearing will be held and notice of the hearing may be found on the Virginia Regulatory Town Hall Web site ([www.townhall.virginia.gov](http://www.townhall.virginia.gov)) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.

## Participatory approach

*Please indicate, to the extent known, if advisers (e.g., ad hoc advisory committees, technical advisory committees) will be involved in the development of the proposed regulation. Indicate that 1) the agency is not using the participatory approach in the development of the proposal because the agency has authorized proceeding without using the participatory approach; 2) the agency is using the participatory approach in the development of the proposal; or 3) the agency is inviting comment on whether to use the participatory approach to assist the agency in the development of a proposal.*

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The agency will use the participatory approach in the development of the proposal and plans to secure input from the instructional staff, the Advisory Committee for Career and Technical Education, a CTE administrator from each of the Superintendents' regions (8), and the president of the Virginia Association for Career and Technical Education and Virginia Association for Career and Technical Education Administrators.

The revised regulations will also be based on public comment.

## Family impact

*Assess the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The proposed revisions will not have any measurable impact on the institution of the family or family stability.

# Board of Education Agenda Item

Item: \_\_\_\_\_ B. \_\_\_\_\_

Date: November 17, 2009

**Topic:** Final Review of the Advisory Board on Teacher Education and Licensure's Recommendation Regarding the Certification of Braille Instructors in Response to the Virginia General Assembly House Bill 2224

**Presenter:** Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure

**Telephone Number:** (804) 371-2522

**E-Mail Address:** Patty.Pitts@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
 Board of Education regulation  
 Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

No previous board review/action

Previous review/action  
date October 22, 2009  
action First Review

## Background Information:

The 2009 Virginia General Assembly enacted the following House Bill 2224, Chapter 202, regarding Braille certification:

*§ 1. That by December 31, 2009, the Advisory Board on Teacher Education and Licensure, in consultation with the Department for the Blind and Vision Impaired, shall make recommendations to the Board of Education and the Chairmen of the House Committee on Education and the Senate Committee on Education and Health regarding the certification of Braille instructors.*

In consultation with the Department for the Blind and Vision Impaired, the Advisory Board on Teacher Education and Licensure (ABTEL) began discussions regarding Braille instruction, certification, and licensure. On March 16, 2009, the Advisory Board received a presentation from Mrs. Anne Wescott, assistant superintendent, Division of Policy and Communications, Virginia

Department of Education, on the proposed Braille legislation. On April 20, 2009, ABTEL received additional background information from Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, Virginia Department of Education, and Mr. Glen Slonneger, education services program director, Department for the Blind and Vision Impaired. During the April 20, 2009, meeting, the Advisory Board approved a committee to research the policy issues and make recommendations to the full Advisory Board.

ABTEL's committee on Braille convened July 8 and August 5, 2009. At the meeting on August 5, 2009, Dr. Edward C. Bell, director of the Professional Development and Research Institute on Blindness, Louisiana Technology University, and Mr. Michael Kasey, National Federation of the Blind, met with the committee to present information on The National Literary Braille Competency Test.

The Advisory Board on Teacher Education and Licensure met on September 20-21, 2009, to review the committee's report and make a recommendation to the Board of Education. The Advisory Board received the report of the committee including research on Braille instruction, authority regarding Braille instruction, licensure assessments, the current teacher work force with endorsements in visual impairments, Virginia's consortium to prepare teachers of visual impairments, requirements of other states, and available Braille assessments.

### **Summary of Major Elements:**

Attached is the Advisory Board on Teacher Education and Licensure's Report to the Board of Education on the 2009 Virginia General Assembly House Bill 2224 Regarding Braille Certification. On September 20-21, 2009, the Advisory Board on Teacher Education and Licensure unanimously approved the following recommendation to the Board of Education:

The Advisory Board unanimously recommends to the Board of Education that a reliable, valid, and legally defensible assessment available statewide (to be determined) demonstrating Braille proficiency prescribed by the Virginia Board of Education be required for individuals seeking an initial license with an endorsement in Special Education-Visual Impairments. [The Department of Education shall follow policies and procedures relative to the procurement of such an assessment.] Additionally, contingent upon available funding, opportunities for licensed teachers with the endorsement in Visual Impairments be afforded additional professional development in the teaching of Braille through the Virginia Department of Education and the Department for the Blind and Vision Impaired. The Advisory Board supports the Virginia Board of Education's efforts to include teachers of visual impairments in the *Standards of Quality* funding formula.

### **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education approve the Advisory Board on Teacher Education and Licensure's recommendation on Braille certification in response to the 2009 Virginia General Assembly House Bill 2224.

**Impact on Resources:**

The cost for a Braille assessment, if prescribed by the Board of Education, would be incurred by the test taker seeking an initial license with an endorsement in visual impairments.

**Timetable for Further Review/Action:**

After final review by the Board of Education, the recommendation will be forwarded to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by December 31. Additional work will be required prior to recommending a reliable, valid, and legally defensible assessment for individuals seeking an initial Virginia license with an endorsement in Special Education-Visual Impairments. The Department of Education personnel must follow laws, policies, and procedures relative to the procurement of an assessment.

**ADVISORY BOARD ON TEACHER EDUCATION  
AND LICENSURE**

***REPORT TO THE BOARD OF EDUCATION  
ON THE  
2009 VIRGINIA GENERAL ASSEMBLY  
HOUSE BILL 2224 REGARDING BRAILLE CERTIFICATION***

**October 22, 2009, and November 17, 2009**

**Background**

The 2009 Virginia General Assembly enacted the following House Bill 2224 regarding Braille:

**VIRGINIA GENERAL ASSEMBLY, HOUSE BILL 2224**

**CHAPTER 202**

*An Act to direct the Advisory Board on Teacher Education and Licensure, in consultation with the Department for the Blind and Vision Impaired, to make recommendations regarding the certification of Braille instructors.*

[H 2224]

Approved March 27, 2009

Be it enacted by the General Assembly of Virginia:

*§ 1. That by December 31, 2009, the Advisory Board on Teacher Education and Licensure, in consultation with the Department for the Blind and Vision Impaired, shall make recommendations to the Board of Education and the Chairmen of the House Committee on Education and the Senate Committee on Education and Health regarding the certification of Braille instructors.*

In consultation with the Department for the Blind and Vision Impaired, the Advisory Board on Teacher Education and Licensure (ABTEL) began discussions regarding Braille instruction, certification, and licensure. On March 16, 2009, the Advisory Board received a presentation from Mrs. Anne Wescott, assistant superintendent, Division of Policy and Communications, Virginia Department of Education, on the proposed legislation on Braille. On April 20, 2009, ABTEL received additional background information from Mrs. Patty Pitts, assistant superintendent for teacher education and licensure, Virginia Department of Education, and Mr. Glen Slonneger, education services program director, Department for the Blind and Vision Impaired. During the meeting on April 20, 2009, the Advisory Board approved a committee to research the policy issues and make recommendations to the full Advisory Board. Refer to Attachment A for the composition of the committee.

ABTEL's committee on Braille convened July 8 and August 5, 2009. At the meeting on August 5, 2009, Dr. Edward C. Bell, director of the Professional Development and Research Institute on Blindness, Louisiana Technology University, and Mr. Michael Kasey, National Federation of the Blind, met with the committee to present information on The National Literary Braille Competency Test. The Advisory Board on Teacher Education and Licensure met on September 20-21, 2009, to review the committee's report and make a recommendation to the Board of Education. The Advisory Board received the report of the

committee including research on Braille instruction, authority regarding Braille instruction, licensure assessments, the current teacher work force with endorsements in visual impairments, Virginia's consortium to prepare teachers of visual impairments, requirements of other states, and available Braille assessments.

**Research:**

**Articles:**

*The Braille Literacy Crisis in America: Facing the Truth, Reversing the Trend, Empowering the Blind* [A Report to the Nation by the National Federation of the Blind Jernigan Institute]

[http://www.nfb.org/images/nfb/documents/word/The\\_Braille\\_Literacy\\_Crisis\\_In\\_America.doc](http://www.nfb.org/images/nfb/documents/word/The_Braille_Literacy_Crisis_In_America.doc)

*Keeping Our Promises: Braille Competency Test Now a Reality*, by Louis Walch  
<http://www.nfb.org/images/nfb/Publications/bm/bm08/bm0807/bm080710.htm>

*A Fresh Look at Braille* by Jim Halliday, Closing the Gap, Inc.  
<http://www.kurzweiledu.com/files/Dec%20Jan%20Fresh%20Look.pdf>

*Fewer Blind Americans Learning Braille*, MSNBC.com  
<http://www.msnbc.msn.com/id/29882719/>

**Documents:**

*What is Braille?*, Virginia's Braille Awareness Guide, Produced by the Virginia Department for the Visually Handicapped and the Virginia Department of Education

*Braille Instruction*, compiled by Teresa Blythe, Mid-South Regional Resource Center, University of Kentucky [This document provides information regarding other states' use of competency tests for Braille.]

National Certification in Literary Braille (NCLB)

Braille Training or Workshops Held by the Virginia Department for the Visually Impaired

**Authority Related to Braille Instruction and Preparation of Teachers**

Federal Special Education Regulations: 34 CFR Parts 300 and 301 Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children With Disabilities; Final Rule

**§ 300.324 Development, review, and revision of IEP.**

...(iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;...

*Code of Virginia*

§ 22.1-217. Visually impaired children.

A. Special education for visually impaired children provided by a school division shall be established, maintained and operated jointly by the school board and the Virginia Department for the Blind and Vision Impaired subject to the regulations of the Board of Education. Braille instruction shall be included in the student's Individualized Education Plan (IEP), whenever appropriate. When developing the IEP for students with visual impairment, the presumption shall be that proficiency in literacy is essential for such student to achieve satisfactory educational progress. However, use of Braille shall not be required if other special education services are more appropriate to the student's educational needs, and the provision of other appropriate services shall not preclude Braille instruction.

B. The Virginia Department for the Blind and Vision Impaired shall prepare and deliver a program of special education services in addition to the special education provided in the public school system designed to meet the educational needs of visually impaired children between the ages of birth and twenty-one and may prepare and deliver such programs for such individuals of other ages. In the development of such a program, the Virginia Department for the Blind and Vision Impaired shall cooperate with the Board of Education and the school boards of the several school divisions. The Virginia Department for the Blind and Vision Impaired shall assist the Board of Education and the school boards of the several school divisions with in-service training in Braille for currently employed teachers of students who are blind and visually impaired.

C. As used in this section:

"Braille" means the system of reading and writing through touch and is commonly known as standard English Braille Grade 2.

"Program" means a modified program which provides special materials or services and may include the employment of itinerant teachers or resource room teachers for the visually impaired.

"Visually impaired" shall be defined by the Board of Education and the Virginia Department for the Blind and Vision Impaired.

(Code 1950, § 22-10.7; 1974, c. 480; 1978, c. 386; 1980, c. 559; 1990, c. 803; 1992, c. 755; 1995, c. [750](#); 1998, c. [852](#).)

Virginia State Special Education Regulations

*8VAC20-81-110. Individualized education program.*

- ...2. The IEP team also shall: (34 CFR 300.324(a))
- a. In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions, strategies, and supports to address the behavior;
  - b. In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
  - c. In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media, including an evaluation of the child's future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate for the child;
  - d. Consider the communication needs of the child;
  - e. Consider the child's needs for benchmarks or short-term objectives;
  - f. In the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and
  - g. Consider whether the child requires assistive technology devices and services...

Code of Virginia

**§ 22.1-298.1. Regulations governing licensure.**

- B. The Board of Education shall prescribe, by regulation, the requirements for the licensure of teachers and other school personnel required to hold a license...

Licensure Regulations for School Personnel (effective September 21, 2007)

**8VAC20-22-550. Special education visual impairments preK-12.**

Endorsement requirements. The candidate must have:

1. Graduated from an approved teacher preparation program in special education visual impairments preK-12; or
2. Completed a major in special education visual impairments or 27 semester hours in education of students with visual impairments, including at least one course in foundations/legal aspects of special education; characteristics of persons with visual impairments; psycho-educational assessment and assessment for visual impairment; language/literacy skill development; Braille reading and writing; behavior management; transition; consultation; anatomy, physiology, and diseases of the eye; and instructional programming and methods.

Regulations Governing the Review and Approval of Education Programs in Virginia (effective September 21, 2007)

**8VAC20-542-490. Special education visual impairments preK-12.**

The program in special education visual impairments preK-12 is designed to ensure through course work and field experiences in a variety of settings that the candidate has demonstrated the following competencies:

1. Understanding of the characteristics of individuals with disabilities, including...
2. Understanding of the foundation of the legal aspects associated with students with disabilities and students with visual impairments, including:...
3. Understanding of the foundation of assessment and evaluation with an emphasis on individuals with visual impairments, including:...

4. Understanding of service delivery, classroom and behavior management, and instruction, including:...
5. Understanding of consultation, case management, and collaboration including:...
6. Understanding of the foundations of Braille reading and writing, including:
  - a. Teaching reading and writing of grade 2 Braille on both a Braille writer and a "slate and stylus"; and
  - b. Knowledge of other codes, including Nemeth, music code, and computer Braille.
7. Understanding of anatomy, physiology, and diseases of the eye and the educational implications.
8. Understanding of the standards of professionalism.
9. Completion of supervised classroom experiences at the elementary and secondary levels with students who have visual impairments.

### **Licensure Assessments**

Currently, Virginia requires the following assessments for individuals seeking an initial license with an endorsement in Special Education-Visual Impairments. Virginia does not offer a separate endorsement in Braille.

#### **Virginia Communication and Literacy Assessment (effective January 1, 2006)**

The Virginia Communication and Literacy Assessment became effective January 1, 2006, for initial licensure unless an individual meets the exemption criteria. Refer to the following Web site for more information about the test content, test dates, costs, accommodations for individuals with disabilities, and registration:

[www.va.nesinc.com](http://www.va.nesinc.com).

On March 22, 2006, the Board of Education approved cut scores for the Virginia Communication and Literacy Assessment (VCLA). The cut scores for the VCLA are as follows:

Writing Sub Test: 235  
Reading Sub Test: 235  
**Composite Score: 470**

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**Virginia Reading Assessment (VRA)**

Individuals seeking initial licensure with endorsements in the following areas must take the Virginia Reading Assessment for Elementary and Special Education Teachers (Test Code 001) unless the exemption criteria are met:

- Early/Primary prek-3**
- Elementary Education prek-6**
- Special Education-General Curriculum**
- Special Education-Hearing Impairments**
- Special Education-Visual Impairments**

The VRA became a requirement July 1, 2004. Individuals who take the VRA after July 1, 2006, will be required to meet a passing score established by the Virginia Board of Education. The Board of Education established cut scores for the Virginia Reading Assessments for elementary and special education teachers at 235 and for reading specialists at 245, effective July 1, 2006. For information regarding registration, test administration, fees, etc., please visit the Web site, [www.va.nesinc.com](http://www.va.nesinc.com).

**Teacher Work Force with the Endorsement in Special Education-Visual Impairments PreK-12**

As of April 8, 2009, 325 individuals held an active Virginia license with the Special Education-Visual Impairments (VI) endorsement. There were 318 inactive Virginia licenses with the Visual Impairments endorsement. The chart below provides the number of teachers with the Visual Impairments endorsement by age bracket and license (active or inactive):

**Teachers by Age Bracket with Visual Impairments Endorsement  
As of April 8, 2009**

Age Bracket	Active Licenses with the Visual Impairments Endorsement		Inactive Licenses with the Visual Impairments Endorsement	
	Count	Percentage	Count	Percentage
Less than 30 years	18	5.5%	5	1.6%
30 to 34 years	14	4.3%	5	1.6%
35 to 39 years	18	5.5%	14	4.4%
40 to 44 years	40	12.3%	18	5.7%
45 to 49 years	44	13.5%	24	7.5%
50 to 54 years	56	17.2%	56	17.6%
55 to 59 years	90	27.7%	73	23.0%
60 to 64 years	35	10.8%	63	19.8%
65 years or more	10	3.1%	60	18.9%
<b>Totals</b>	<b>325</b>	<b>100%</b>	<b>318</b>	<b>100%</b>

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Note that 191 (59 percent) of the teachers with an active Visual Impairments endorsement are age 50 or older.

In the most recent Instructional Personnel Report (2008-09 school year), school divisions reported 67 teachers as teaching in a position where only the Visual Impairments endorsement was acceptable for the assignment and who were endorsed in Visual Impairments. School divisions reported two teachers who were assigned in a teaching position where only the Visual Impairments endorsement was acceptable and who held licenses but did not hold the Visual Impairments endorsement.

School divisions reported 20 individuals who are endorsed in Visual Impairments and who are teaching in an assignment where the VI endorsement, as well as other special education endorsements, is acceptable.

**Virginia Institutions of Higher Education Consortium: Visual Impairments Prek-12**

George Mason University, James Madison University, Norfolk State University, Old Dominion University, and Radford University offer the required coursework for the endorsement in Special Education-Visual Impairments Prek-12. The requirements include six semester hours Braille instruction, including Braille I and Braille II.

Information from 20 preparation visual impairment programs in the United States (from the U.S. Personnel Center, the National Association of State Directors of Special Education (NASDSE) database, April 2009) showed the following number of semester hours of coursework required in Braille:

<b>Number of Semester Hours of Braille</b>	<b>Number of Preparation Programs</b>
3	7
4	1
5	3
6	6 (including Virginia's consortium)
7	1
8	1
9	1

### **Braille Assessment Requirements in Other States**

The Mid-South Regional Resource Center conducted research in February 2009 to obtain national information on Braille assessment requirements in other states. The study reports, of the 23 states responding to the survey, Nebraska, Washington, Wisconsin, and West Virginia use the National Literacy Braille Competency Test. Arizona and Delaware require the National Library of Congress Braille Competency Test. Texas does require a Braille assessment administered by the Educational Testing Service.

### **Assessments in Braille**

The Advisory Board committee reviewed assessment options in Braille. Tests used for licensure purposes must be valid, reliable, and legally defensible assessments available statewide. The committee investigated and found the following information relative to current Braille assessments.

#### **National Certification in Literary Braille (NCLB)**

The National Blindness Professional Certification Board (NBPCB) [<http://www.nbpcb.org>] was created to certify qualified specialists in work with the blind. At present, the Certification Board offers two certifications - the National Orientation and Mobility Certification (NOMC), and the National Certification in Literary Braille (NCLB). Refer to Attachment B for additional information regarding the NCLB.

#### **National Evaluation Systems (Pearson)**

National Evaluation Systems (Pearson) does not have a Braille-only test at this time. The company offers content area tests for the Visually Impaired endorsement for multiple states. These tests have a Braille component, but also assess other areas. Among the states included are New York, Illinois, Oklahoma, Michigan, Colorado, and Arizona.

#### **Educational Testing Service (ETS)**

The Educational Testing Service administers a Braille-only test for the state of Texas. Information on the assessment may be accessed at the following Web site: [http://www.texas.ets.org/assets/pdf/testprep\\_manuals/182\\_183\\_visimpbraille\\_55101\\_web.pdf](http://www.texas.ets.org/assets/pdf/testprep_manuals/182_183_visimpbraille_55101_web.pdf) (Refer to page 49.) The state of Mississippi is also considering adopting this test for use in their state.

**Advisory Board on Teacher Education and Licensure's Recommendation**

The Advisory Board unanimously recommends to the Board of Education that a reliable, valid, and legally defensible assessment available statewide (to be determined) demonstrating Braille proficiency prescribed by the Virginia Board of Education be required for individuals seeking an initial license with an endorsement in Special Education-Visual Impairments. [The Department of Education shall follow policies and procedures relative to the procurement of such an assessment.] Additionally, contingent upon available funding, opportunities for licensed teachers with the endorsement in Visual Impairments be afforded additional professional development in the teaching of Braille through the Virginia Department of Education and the Department for the Blind and Vision Impaired. The Advisory Board supports the Virginia Board of Education's efforts to include teachers of visual impairments in the Standards of Quality funding formula.

## **ATTACHMENTS**

**Attachment A**

**Advisory Board on Teacher Education and Licensure  
Committee on Braille**

ABTEL Members

Tracey Dingus, Chair of ABTEL  
Carole Grove, Chair of the Teacher Education Committee  
Angela Turley, Member  
Dawn Rees-Blakeman, Member

Department for the Blind and Vision Impaired Representative

Glen Slonneger, Education Services Program Director

Department of Education Staff Resources

**Division of Teacher Education and Licensure**

Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure  
JoAnne Y. Carver, Director of Teacher Education  
James W. Lanham, III, Director of Licensure

**Division of Special Education and Student Services**

H. Douglas Cox, Assistant Superintendent for Special Education  
and Student Services  
John Eisenberg, Director of Instructional Support and Related Services  
Karen Trump, Special Education Coordinator

**Division of Policy**

Anne D. Wescott, Assistant Superintendent for Policy and Communications

## **Attachment B**

### **National Certification in Literary Braille (NCLB) Candidate Guidelines**

#### **SOURCE:**

[http://www.nbpcb.org/downloads/NCLBCertification/NCLB\\_Candidate\\_Guidelines.d](http://www.nbpcb.org/downloads/NCLBCertification/NCLB_Candidate_Guidelines.d)

[oc](#)

Revised 03/2008

#### **1.0 Overview**

The National Blindness Professional Certification Board (NBPCB) has established rigorous standards for certifying competent professionals who wish to demonstrate their knowledge and proficiency in reading and writing the literary Braille code. Successful applicants who earn the designation, National Certification in Literary Braille (NCLB), associated with the National Literary Braille Competency Test (NLBCT) are entitled to all rights and responsibilities therein as long as he or she maintains active certification status and upholds the NBPCB Code of Professional Ethics.

The National Literary Braille Competency Test (NLBCT) is used to measure the level of a person's ability to read and write contracted literary Braille. Although the test can be taken by anyone, it is intended primarily for teachers of Braille and future teachers of Braille. The test has been revised and thoroughly pilot tested, and is now ready for public release.

#### **1.1 History**

The original Braille competency test was maintained and administered by the National Library Service for the Blind and Physically Handicapped (NLS) of the Library of Congress. It was developed in response to a recommendation of the Committee on Joint Organizational Effort (JOE), which was made up of representatives from the American Council of the Blind, the American Foundation for the Blind, the Association for Education and Rehabilitation of the Blind and Visually Impaired, the Blinded Veterans Association, the Canadian Council of the Blind, the Canadian National Institute for the Blind, the National Federation of the Blind, and The National Library Service for the Blind and Physically Handicapped (NLS) of the Library of Congress. The promotion of Braille literacy, and thus the development of the test, was born out of the committee's concern that teachers of blind children and adults should have sufficient knowledge and skills in Braille.

In 2005, the National Federation of the Blind (NFB) was asked to take over leading the development of the test. The NFB, along with a steering committee of experts in the field, including members of the National Blindness Professional Certification Board (NBPCB),

has reviewed, updated, and revised the test to meet today's needs in the field. The target population of individuals who will take the test is now seen as including pre and in-service teachers who teach or will teach Braille reading and writing to children and adults, and other individuals interested in demonstrating their knowledge/proficiency in reading and writing the Braille literary code as defined in the 1994 version of the *English Braille American Edition* (EBAE) Revised in 2002.

In March, 2007, it was decided that the National Blindness Professional Certification Board (NBPCB) should lead in the final stages of test development. The revised test is now in finished form, and is administered solely under the direction of the NBPCB.

*Important note: The test materials were only slightly modified to reflect changes in purpose and target population. The test has not been substantially changed from its earlier version administered by the NLS. However, those who take the test now have the advantage of becoming candidates to receive the National Certification in Literary Braille (NCLB).*

### **1.2 Structure of the Test**

The NLBCT is a written examination that tests an applicant's ability to read, write, and understand literary Braille. The examination consists of four sections:

1. Braille writing using a Braille writer
2. Braille writing using a slate and stylus
3. Proofreading, identifying Braille errors
4. Multiple choice questions, correct usage and rules

(See Section 4.0 for more details.)

### **1.3 Important Terminology**

**CBMR:** Consumer Based Model of Rehabilitation refers to the collective knowledge, experiences, and attitudes of the organized blind who have achieved economic, social, and community integration.

**CBP:** Certified Blindness Professional, as determined by the National Blindness Professional Certification Board (NBPCB).

**JOE:** Joint Organizational Effort. The committee that worked collaboratively in the development and testing of the NLBCT.

**NBPCB:** The National Blindness Professional Certification Board, which is the body responsible for all certification activities, policies, and decisions.

NCLB: National Certification in Literary Braille. The professional credential awarded to successful applicants who receive a passing score on all four sections of the NLBCT. This certification attests that the candidate has successfully demonstrated the capacity to effectively read, write, and understand literary Braille.

NLBCT: National Literary Braille Competency Test is used to measure the level of a person's ability to read and write contracted literary Braille. Although the test can be taken by anyone, it is intended primarily for teachers of Braille and future teachers of Braille.

NLS: National Library Service for the Blind and Physically Handicapped is the sector of the library of Congress which formerly administered the NLBCT.

EBAE: English Braille American Edition, the only reference allowed to be used during the NLBCT.

## **2.0 Preparation and Eligibility**

There are no prerequisites for taking the National Literary Braille Competency Test. Interested individuals can make application to the NBPCB to sit for the test. It is presumed that applicants have received adequate preparation in learning to read and write literary—sometimes called contracted—Braille. This section contains the relevant information covered by the test and tips for test preparation. Please direct all further inquiries to the NBPCB office.

The test covers contracted literary Braille. The official reference of the test is the 1994 edition of EBAE Revised in 2002, available for purchase from APH. Not all of EBAE is covered in the test. The following are helpful preparations:

- Taking the sample test which is available to download from the NBPCB Web site <http://www.nbpcb.org/pages/downloaddocuments.php>
- Studying a literary Braille instruction manual
- Taking a college course in Braille
- Taking the Library of Congress course in Braille transcribing through lesson fifteen
- Reading recently published literary Braille
- Writing literary Braille using both a Braille writer and a slate and stylus

## **3.0 Application Process**

All individuals wishing to demonstrate their proficiency in the literary Braille code may submit an application to the National Blindness Professional Certification Board. No application will be processed until the NBPCB has received the full application and fee. In addition, the applicant must submit a signed NBPCB Code of Professional Ethics Agreement form before the exam will be administered. This may be brought to the testing site with the applicant, faxed to (318) 257-2259, or mailed to NBPCB, NCLB Application, 101 S Trenton St, Ruston, LA 71270.

### **3.1 Application**

Candidates may apply online at [www.nbpcb.org/nclb/application](http://www.nbpcb.org/nclb/application) or contact the NBPCB office at (318) 257-4554 for a paper application.

Allow up to three weeks for online applications, and up to six weeks for paper applications to be processed.

### **3.2 Registration**

After your application has been processed, you will be contacted by the NBPCB to confirm your testing date, time, location, and any other relevant information related to taking the exam.

### **3.3 Test Locations and Dates**

The test will be held at a minimum of two (2) locations annually. In addition, the test may be convened by arrangement when all of the following are present:

- An appropriate number of applicants will be present to take the exam
- At least two (2) NBPCB appointed test administrative staff are available
- An acceptable test site can be procured

For current information regarding testing locations and dates, check the Web page, [www.nbpcb.org/announcements](http://www.nbpcb.org/announcements), or contact the NBPCB office.

### **3.4 Accommodations**

Any candidate who has a disability that prevents them from taking the test under standard testing conditions, may request reasonable modifications. This is possible if the candidate submits proper documentation well ahead of time. All documentation and specific requests must be received by the NBPCB office at least 30 business days prior to the testing date.

Please be aware that the NBPCB makes its best effort to provide as many accessibility options as possible; however, the test is currently limited to print (18-pt) and Braille.

#### **3.4.1 Pre-approved Accommodations**

The use of the following items have been pre-approved for blind or visually impaired candidates, and do not require additional documentation:

- Hand-held magnifier
- Closed Circuit Television (CCTV)
- Felt-tip marker

### **3.5 Code of Professional Ethics**

At the time of application, candidates are expected to be familiar with the NBPCB code of professional ethics. The candidate is expected to have read, understood, and be willing to abide by the Code of Professional Ethics. The applicant and a witness must sign the NBPCB Code of Professional Ethics Agreement form. Both the Code of Professional Ethics and Agreement form are available from the NBPCB office or Web page.

### **3.6 Fees**

A \$250.00 application fee must be submitted with the application before an examination date will be set. (See Section 8.0-8.3 for information on payment).

### **4.0 Examination Process**

The test consists of four (4) sections. The instructions, test passages, and questions, will be provided to all candidates in print (18-pt.) and a combination of contracted and uncontracted Braille.

Up to six (6) hours is allowed to take the entire test. Two sections will be presented in the morning session and two sections will be presented in the afternoon session. There will be a 10-minute break between the two morning sections and a 10-minute break between the two afternoon sections. There will also be a one-hour lunch break.

The four sections of the test are outlined in the table below:

SECTION:	TIME:	DESCRIPTION:
1. Braille writer	Two (2) hours	Contains passages that candidates will Braille using a Braille writer.
2. Slate and Stylus	One (1) hour	Contains passages that candidates will Braille using a slate and stylus.
3. Proofreading	Two (2) hours	Contains Braille passages with embedded errors which candidates must identify.
4. Multiple Choice	One (1) hour	Contains approximately 40 multiple choice questions.

The only reference that candidates may use during the test is a copy of *English Braille, American Edition, 1994* (EBAE), which is provided by the Test Administrator in print or Braille. This reference may be used during the entire test. Please note that candidates must use the copy of EBAE provided and may not use their own personal copy during the test.

Different versions of the examination will be administered to ensure integrity and confidentiality during each testing cycle. However, each version will entail the following components:

- Candidates will have a maximum of six (6) hours to complete the examination.

- The examination instructions will be available in print and Braille
- The examination content will be available in print and a mixture of contracted and uncontracted Braille
- The examination will occur in a well-lighted and quiet location
- There will be a scheduled break between each test section
- All examinations will be directly proctored by NBPCB staff
- All examinations will be scored by a panel of qualified test scorers

**4.1 Equipment Candidates Should and Should Not Bring to the Test Site**

The following table lists what candidates should and should not bring to the test site:

CANDIDATES SHOULD BRING:	CANDIDATES SHOULD NOT BRING:
<ul style="list-style-type: none"> <li>• A Braille writer capable of making 40-cell lines</li> <li>• A slate and stylus</li> <li>• A Braille eraser</li> <li>• Pens</li> <li>• Pencils (optional)</li> </ul>	<ul style="list-style-type: none"> <li>• Laptop computers</li> <li>• Electronic notetakers</li> <li>• Refreshable Braille displays</li> <li>• Cellphones</li> <li>• Notes or references</li> </ul>

*Note: Any notes, equipment, or paraphernalia not directly related to the test must be left outside the testing area. Any questions about acceptable equipment or accommodations, should be addressed to the NBPCB office in writing at least 30 business days prior to the test date. See also sections 3.4 and 3.4.1 for more details.*

**4.2 Stopping or Canceling the Exam**

The examination can be stopped by the Test Administrator or the applicant for the following reasons:

- The time limit is exceeded
- The test administrator deems that successful completion is impossible or unlikely
- Testing facility conditions deteriorate to the point that it prevents normal performance or evaluation
- The applicant does not want to continue
- The Test Administrator feels that the applicant is overly stressed or overwhelmed to the point that it affects performance
- The test administrator has evidence or adequate suspicion that the applicant is cheating or otherwise manipulating the test
- There is a fault in necessary equipment used during the test.

If the test is stopped or canceled for any of the above reasons, the applicant may choose to reschedule the exam within six months of the initial test, or 18 months of the initial application date, whichever comes first. Retesting fees will be assessed accordingly (see

Section 8.1). If the test is stopped or canceled for any reason that is outside the control of the applicant, the exam may be rescheduled within the indicated time frame at no additional cost to the applicant.

### **4.3 Grading of Examinations**

Test results are solely based on individual performance. The following is a list of areas covered throughout the test with their respective percentage weights:

- Basic knowledge including letters and numbers      1%
- Contractions      68%
- Common punctuation and composition      26%
- Formatting      5%

*Important note: Candidates should be advised that grading is based on accuracy. Speed is not currently being tested except to the extent that the applicant completes the test within the given time frame.*

#### **4.3.1 Reporting of Examination Scores**

All examination scores will be turned into the NBPCB office by the test administrator. The NBPCB office will then determine successful/unsuccessful test completion, and scores will be mailed to the candidate within 30 days of completing all sections of the examination. Candidates will receive scores for each of the four test sections, as well as an indication of overall performance. The NBPCB will also send score reports to up to three other institutions designated by the candidate.

Candidates who successfully pass all sections of the test are eligible to receive the National Certification in Literary Braille (NCLB), and will receive an NCLB identification number and an original copy of the NCLB certificate. If the applicant fails to pass any section of the examination, he/she will be mailed a letter detailing which sections were failed and guidelines for retesting.

### **5.0 Retesting Procedures**

If an applicant does not pass the certification examination on the first attempt, he/she should retake the examination in part or in full. The following guidelines apply to applicants who must retest:

- If the candidate fails only one section, then that section may be retaken.
- Any single section of the test that is failed must be retaken within six months of the initial test, or 18 months from the application date, whichever comes first.
- If the candidate fails more than one section, then all sections of the test must be retaken.
- A fee will apply each time a test or test section is re-taken.

- If any section of the examination is failed three (3) times, the applicant cannot apply for certification again until additional NBPCB approved training is received.

The candidate will be notified of examination scores within sixty (60) days of taking the examination. If the candidate is notified that one or more sections of the test are failed, he or she must contact the NBPCB office to schedule a time to retake the examination. The NBPCB office will provide the applicant with a re-examination place and date after the appropriate fees are paid. Scores for the retesting will be mailed to the applicant within sixty (60) days after completion of the exam. All examination procedures will be the same as the original examination (see Section 4.0).

### **6.0 Code of Professional Ethics and Grievance Procedures**

All Certified Blindness Professionals (CBPs), working at all professional levels, shall treat persons who are blind or partially blind with dignity and respect and will provide the best possible training and related vocational rehabilitation services which can be offered, based upon the most current techniques and training principles available at the time.

The National Blindness Professional Certification Board's (NBPCB) Code of Professional Ethics is a public statement of the values and principles used to promote and maintain high standards of behavior among those specialists in work with the blind who become Certified Blindness Professionals (including NCLB) through the NBPCB certification processes. The NBPCB is committed to furthering the ability of persons who are blind or partially blind to function competently, independently, and successfully not only in their own environments but also as fully integrated and participating citizens in the broader society. It is the ongoing objective of CBPs to act in an ethical manner.

#### **6.1 Abiding by the Code**

All individuals who earn the National Certification in Literary Braille (NCLB) are obliged to conduct themselves in a manner consistent with the NBPCB Code of Professional Ethics. As part of the NCLB application process, individuals must read, understand, and be willing to abide by the Code of Professional Ethics. An agreement form will be included with the application packet which must be signed by the individual seeking NCLB designation and witnessed by a second person. The code of professional ethics and agreement form are also available for download from the NBPCB Web page.

#### **6.2 Grievance**

Any allegation of a violation of the Code of Professional Ethics shall be submitted in writing to the President (or his/her designee) for action. Where there is incontrovertible evidence of a violation of the Code by a current certificant which is not supported by written allegation, the Board has the authority to proceed with prosecution of the issue as though a complaint had been filed.

Within ten (10) days of the receipt of a written allegation of violation of the Code of Professional Ethics, the President (or his/her designee) shall name a three-member panel to review the allegation and shall furnish each member with a written copy of the complaint. The three (3) reviewers may be members of the NBPCB Board of Directors or the NCLB committee. The President shall name one of the three appointees as chairperson of the review panel.

Within twenty (20) days of receipt of the written allegation, the Chairperson of the review panel shall report the findings and recommendations of the panel to the President (or his/her designee) in writing, and the President shall notify the respondent in writing of the findings and recommendations of the panel.

### **6.3 Disciplinary Procedures**

Any intentional violation of any section of the Code of Professional Ethics shall be prima facia evidence of a CBP's affirmative decision to choose voluntarily to relinquish NBPCB certification and to forfeit all rights or privileges which inure to a person by reason of holding NCLB certification. Where the finding of the panel has been either to recommend suspension or revocation of certification, the respondent may request that the entire NBPCB Board review the decision of the panel (see Section 7.0). This request must be in writing and submitted to the President within ten (10) days of receipt by the respondent of the panel's adverse decision.

Where a CBP's certification has been revoked, the respondent may apply for re-certification after one full year has elapsed following the final revocation. It will be the responsibility of the respondent to demonstrate to the Board that a good faith effort has been made to correct the acts or practices giving rise to the revocation. A written request for re-instatement of certification must be submitted directly to the President, and the Board shall determine whether or not to reinstate certification. The respondent may not simply apply for certification through the usual certification application process.

### **7.0 Appealing Certification Decisions**

Eligibility criteria for certification are established by the Board of Directors of the NBPCB, and the decisions of the board are binding. Unsuccessful candidates will receive a written denial of certification. A process of appeal upon written submission is available to any denied candidate who feels that the eligibility criteria have been inaccurately, inconsistently, or unfairly applied.

The process of appeal does NOT permit:

- Additional time to acquire education, employment experience or supervision required for certification.
- Additional time to submit the documentation required for certification.

### **7.1 The Appeal Process**

There is one level of appeal in the event of denial of initial certification or recertification. This structure assures:

- A review of the relevant facts
- An independent evaluation of the materials presented
- Fair and consistent application of eligibility criteria

The appellant must send to the NBPCB Board a written request for appeal, by certified mail postmarked within thirty (30) days of official receipt of the letter of denial. The request for appeal must include in a single packet: a signed statement of the grounds for appeal and all relevant documentation in support thereof. Only documentation included with the first appeal request will be considered.

The decision will be made by majority vote of the NBPCB Board. All documentation will be reviewed and discussed by each member of the NBPCB Board before an appeal is voted on. The majority decision of the board is binding.

### **8.0 Fees and Payment**

Following is a list of the applicable fees for certification and acceptable methods of payment. Applications will not be processed if the appropriate fee is not paid in full at the time the application is submitted.

#### **8.1 Fees**

Application Fee – \$250.00

Retest Fee – \$250.00

Single Section – \$75.00 (each section)

Certificate Replacement Fee – \$20.00

#### **8.2 Payment Information**

All fees can be paid online by credit card or PayPal account. Fees may alternatively be paid by personal check, bank draft, or money order. All payments should be made out to:

**NBPCB**

NCLB Application

101 South Trenton Street

Ruston, LA 71270

### **8.3 Non-Sufficient Funds (NSF) Policy**

A fee of \$25.00 will be charged for any returned check due to NSF. Fees must then be paid by bank draft or money order. No services will be provided by NBPCB until the application fee is paid in full.

### **8.4 Refund Policy**

If for some reason the applicant does not wish to take the exam after submitting his or her application, \$150 of the total application fee will be refunded upon the applicant's request. If a test date has already been scheduled, the \$150 will only be refunded if applicants cancel 30 days prior to taking the examination. All other fees are non-refundable.

### **9.0 Recertification Program**

The National Blindness Professional Certification Board (NBPCB) recognizes the need for blindness professionals to continue their education and training in order to remain current on innovations and policies in the field. Individuals who successfully achieve NCLB certification will retain valid certification status for five (5) years from the date printed on the original certificate. Once the initial certification has lapsed, the individual must reapply to the NBPCB for recertification in order to maintain active NCLB certification. The NBPCB Recertification Program is designed to ensure that certificants maintain their competence in reading and writing literary Braille. At the end of the five year period, an individual holding certification can only be recertified by successfully completing a new version of the NLBCT examination. More information will be available soon. You may also contact the NBPCB office or visit the Web page at <http://www.nbpcb.org/nclb/recertification> to see if this information has been updated.

### **10.0 Contact Information**

Please direct all applications and inquiries to:

NBPCB Coordinator  
101 S Trenton  
Ruston, LA  
Ph: (318) 257-4554  
Fax: (318) 257-2295  
[Braille@nbpcb.org](mailto:Braille@nbpcb.org)  
[www.nbpcb.org](http://www.nbpcb.org)

# Board of Education Agenda Item

Item: C.

Date: November 17, 2009

**Topic:** First Review of the Technical Amendments to the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8 VAC 20-81-10 et seq.)

**Presenter:** Dr. Judith A. Douglas, Director of the Office of Dispute Resolution and Administrative Services

**Telephone Number:** (804) 225-2771

**E-Mail Address:** Judy.Douglas@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
 Board of Education regulation  
 Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

No previous board review/action

Previous review/action  
date May 29, 2009  
action Readopted the revisions to the Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8 VAC 20-81-10 et seq.)

## Background Information:

The *Code of Virginia*, at § 22.1-214, requires the Board of Education to “prepare and supervise the implementation by each school division of a program of special education designed to educate and train children with disabilities” between the ages of two and twenty-one, inclusive. The program developed by the Board of Education must “be designed to ensure that all children with disabilities have available to them a free and appropriate education.” The *Code of Virginia*, at § 22.1-16, authorizes the Board of Education to “promulgate such regulations as may be necessary to carry out its powers and duties....” The current *Regulations Governing Special Education Programs for Children with Disabilities in Virginia (8 VAC 20-81-10 et seq.)* were readopted by the Board of Education on May 29, 2009, and became effective July 7, 2009.

The *Code of Virginia*, at 2.2-4006 A., permits specific agency actions to be exempt from the standard regulatory process required by the Virginia Administrative Process Act, including the following:

4. Regulations that are:

- a. Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved;
- b. Required by order of any state or federal court of competent jurisdiction where no agency discretion is involved; or
- c. Necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation, and the Registrar has so determined in writing. Notice of the proposed adoption of these regulations and the Registrar's determination shall be published in the Virginia Register not less than 30 days prior to the effective date of the regulation.

The *Code of Virginia*, at 2.2-4006 B., states, “B. Whenever regulations are adopted under this section, the agency shall state as part thereof that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this subsection shall be in accordance with the provisions of § 2.2-4015....”

Changes to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (8 VAC 20-81-10 et seq.) are required to ensure compliance with federal and state laws and regulations regarding special education, including changes in the federal regulations implementing the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA), at 34 CFR Part 300, effective December 31, 2008, and changes in the *Code of Virginia*, which became effective July 1, 2009. The proposed changes do not differ materially from the requirements of federal and state laws or regulations.

### **Summary of Major Elements**

The attached Virginia Regulatory Town Hall form includes detail regarding the proposed changes, including the rationale for each.

### **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education waive first review and adopt the proposed revisions to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, authorizing staff to complete the requirements under the Administrative Process Act.

### **Impact on Resources:**

The recommended action has no impact on resources.

### **Timetable for Further Review/Action:**

N/A



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Education
<b>Virginia Administrative Code (VAC) citation</b>	8 VAC 20-81
<b>Regulation title</b>	Regulations Governing Special Education Programs for Children with Disabilities in Virginia
<b>Action title</b>	Technical revisions to comply with changes to the "Individuals with Disabilities Education Improvement Act of 2004," its federal implementing regulations, and the Code of Virginia
<b>Final agency action date</b>	November 17, 2009
<b>Document preparation date</b>	October 20, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

\* Denotes a substantive change

Section Number	What has changed	Rationale
* 8 VAC 20-81-10	Insert new provision in the definition of "Consent": "b. <u>If the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the local educational agency is not required to amend the child's education records to remove any references to the child's</u>	To comply with the December 2008 revision to the IDEA regulations, at 34 CFR 300.9

	<u>receipt of special education and related services because of the revocation of consent.”</u>	
8 VAC 20-81-10	Revise the definition of “Level II services”: “means the provision of special education <del>and related services</del> to children with disabilities for 50% or more of the instructional school day....“	To ensure consistency with the definition of “Level I services” and with the application of the SOQ funding formulae
* 8 VAC 20-81-10	Revise the definition of “parent” to be consistent with the Code of Virginia, including changing “natural” to “biological”.	To ensure consistency with the new COV provision, at § 22.1-213.1
* 8 VAC 20-81-20 35.	Insert a new provision: <u>“Ensure each recipient of assistance under Part B of the Act makes positive efforts to employ, and advance in employment, qualified individuals with disabilities in programs assisted under Part B of the Act.”</u>	To comply with the December 2008 revision to the IDEA regulations, at 34 CFR 300.177(b)
8 VAC 20-81-30 E 8	Revise subdivision E 8 to delete the last sentence: <del>“The adult child’s residence shall be the fixed home to which the adult child will return from a facility and at which the adult child intends to stay. No adult child shall have more than one residence at a time.”</del>	This language was duplicated in this provision in error. It correctly appears in subdivision E 7 of this subsection.
* 8 VAC 20-81-70 B 2	Revise subdivision B 2: <del>“The notice shall indicate the purpose, date, time, and location of the meeting and who will be in attendance meet the requirements of 8 VAC 20-81-110 E 2 a.”</del>	To ensure consistency with federal language. The current language does not include all federally-mandated notice requirements.
* 8 VAC 20-81-80 D 5 e (1)	Revise the provision to insert at the end: <u>“policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;”</u>	Federal language from 34 CFR § 300.311 (a)(7)(ii)(A) was inadvertently deleted
* 8 VAC 20-81-90 E & 8 VAC 20-81-170 E 3	Revise subsection 90 E and insert a new provision at 170 E 3 to identify new procedural safeguards regarding a parent’s right to revoke consent for a child to receive special education and related services.	To comply with the December 2008 revision to the IDEA regulations, at 34 CFR 300.9 and 34 CFR 300.300(b)(4)
8 VAC 20-81-210 D 2 b and D 3 b	In these provisions, replace the phrases “the effective date of this regulation” and “the effective date of these regulations”, respectively, with “July 7, 2009”.	To comply with a request from the Registrar’s office to clarify the effective date of the regulations.
* 8 VAC 20-81-210 T 1	Revise the timeline for appealing a due process decision to state circuit court from 90 to 180 days.	To ensure consistency with the revised COV provision, at § 22.1-214 D
* 8 VAC 20-81-220 B & D	Revise the surrogate parent provisions in subsection B to be consistent with the Code of Virginia.	To ensure consistency with the new COV provision, at § 22.1-213.1
8 VAC 20-81-240 A	Insert the following at the end of subsection A: <u>“Revisions to policies and procedures must be approved by local school boards for local school</u>	To provide clarity regarding the approval process required for changes to local policies and

	<u>divisions, or the Board of Visitors for the Virginia School for the Deaf and the Blind at Staunton. State-operated programs shall submit revisions to policies and procedures to the state special education advisory committee for review."</u>	procedures.
8 VAC 20-81-270 I.	Delete subsection I. " <del>I. Regional and local jails. State funds for education services are appropriated to the Virginia Department of Education. (Virginia Appropriation Act; 34 CFR 300.705)</del> "	The language was included in this section in error. It correctly appears in 8 VAC 20-81-250 E.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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During its meeting on November 17, 2009, the Board of Education adopted the proposed revisions to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* (8 VAC 20-81-10 et seq.), and directed the Department of Education to proceed with the requirements of the Administrative Process Act.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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Since the proposed revisions to the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia* incorporate existing federal and state mandates, they are not anticipated to have an impact on the institution of the family or on family stability. Parental involvement continues to be a fundamental component of the special education process.

# Board of Education Agenda Item

Item: \_\_\_\_\_ D. \_\_\_\_\_

Date: November 17, 2009

**Topic:** Final Review of a Revised Memorandum of Understanding for Petersburg City Public Schools to Include Compliance with the Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA) 8 VAC 20-131-315

**Presenter:** Dr. Kathleen M. Smith, Director, Office of School Improvement, Division of Student Assessment and School Improvement  
Dr. James M. Victory, Superintendent, Petersburg City Public Schools

**Telephone Number:** (804) 225-2865

**E-Mail Address:** Kathleen.Smith@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: \_\_\_\_\_

Action requested at this meeting     Action requested at future meeting: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action

date October 22, 2009

## Background Information:

The Standards of Quality require local school boards to maintain fully accredited schools and to take corrective actions for schools that are not fully accredited.

§ [22.1-253.13:3](#). Standard 3. Accreditation, other standards and evaluation.

...Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.

In October 2004, the Virginia Board of Education (VBOE) established criteria for identifying low-performing school divisions to undergo a division-level academic review. Petersburg City Public Schools met the criteria for division-level academic review.

§ [22.1-253.13:3](#). Standard 3. Accreditation, other standards and evaluation.

...When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](#).

In 2004, recognizing the need for technical assistance, the Petersburg City School Board requested a division-level review and assistance from the Virginia Department of Education (VDOE). Petersburg City Public Schools and the VBOE signed an initial Memorandum of Understanding (MOU) detailing the review process on April 21, 2004.

Based on 2005-2006 assessment results and the resulting accreditation and federal adequate yearly progress (AYP) ratings of the division and its schools, Petersburg City Public Schools entered into a second MOU on November 20, 2006. The proposed MOU with the VBOE required Petersburg City Public Schools to continue in division-level academic review status and participate in an academic review process prescribed by the VBOE.

In the November 2006 MOU, the Petersburg City School Board and central office staff adopted five key priorities for improving student achievement across the school division, ensuring alignment of resources with these priorities for improving student achievement, and holding the board and staff accountable for results. The key priorities included:

- Student Achievement
- Leadership Capacity
- Teacher Quality
- Communication with all Stakeholders
- Safe and Secure Environment

As part of the November 2006 MOU, an efficiency review was completed on January 10, 2007, by MGT of America, Inc. Ninety (90) recommendations were indicated, 38 of which were accompanied by fiscal implications. According to the review, full implementation of the recommendations would generate a total savings of \$34,620,950 over a five-year period. Petersburg City Public Schools has provided periodic updates regarding the implementation of the efficiency review.

As required by the November 2006 MOU, the VBOE and the VDOE assigned a chief academic officer (CAO) to work with the superintendent and administrative staff to coordinate and monitor the implementation of processes, procedures, and strategies associated with the corrective action plan

resulting from the MOU. The CAO coordinated with VDOE offices to provide technical assistance in support of the MOU and corrective action plan. The CAO has administrative authority over processes, procedures, and strategies that are implemented in support of the MOU and funded by targeted federal and state funds with subsequent review and approval by the Petersburg City School Board.

As a result of the collaborative efforts of the superintendent, administrative staff and the CAO, Petersburg City Public Schools has four of its seven schools fully accredited for the 2009-2010 school year: Robert E. Lee Elementary School, Walnut Hill Elementary School, A. P. Hill Elementary School, and Petersburg High School. Four of six Title I schools remain in school improvement. The history of each school's accreditation and Adequate Yearly Progress (AYP) status is indicated in Attachment A.

In 2008-2009, Petersburg City Public Schools restructured their middle and high school grades. Peabody Middle School and Vernon Johns Middle School moved from grades 6-8 to grades 6-7 and grades 8-9, respectively. Petersburg High school moved from grades 9-12 to grades 10-12. The rating in the 2009-2010 year provided in the data above is based on the assessment data from the previous year of the new grade configuration. The aggregated data for each grade level for English and mathematics in the division over the past five year period is provided in Attachment A.

Another area of concern addressed in the November 2006 MOU was the limited number of highly-qualified teachers employed by the division as well as the number of teachers who were provisionally licensed and the number of long-term substitutes employed as teachers in core content areas. Hard-to-staff funding was provided in the first two years of the MOU; however, results presented at the Senate Finance Committee on December 6, 2007, demonstrated little improvement in the number of provisional or unlicensed teachers employed by the division. On September 23, 2008, Petersburg City Public Schools reported that of the 399 teachers employed in 2008-2009, 393 (98 percent) were licensed; five teachers were not teaching in endorsed areas; 61 (15 percent) were new teachers; and six teachers were indicated as long-term substitutes.

The November 2006 MOU specified that a contingency plan be developed if the schools did not meet school accreditation targets:

*The Petersburg School Board, Virginia Board of Education, and the Department of Education will develop a contingency plan for major restructuring to be in place for the 2007-2008 school year if significant improvements in student achievement and school accreditation do not occur for the 2006-2007 school year. The decision to begin the planning for restructuring will be based on reports provided by Petersburg Public Schools to both the Virginia Board of Education and department staff as well as recommendations made by the CAO throughout the year.*

Although the development of the contingency restructuring plan was implemented one year later than planned in the November 2006 MOU, a committee of outside experts from universities, community-based organizations working in Petersburg, the CAO, and department staff met during the 2007-2008 year after assessments given in 2006-2007 resulted in the school division not meeting accountability goals of the MOU for two consecutive years. This committee developed an instructional intervention to be led by an outside entity for middle school students and parents (by choice of entry into the intervention) to begin in 2009-2010.

This plan was based in part on the work of Mass Insight Education and the concept of a turnaround zone. The committee agreed that the plan should include an outside partner to develop and implement a comprehensive “school within a school” model for middle grade students. The committee presented this plan at the June 18, 2008, meeting of the Virginia Board of Education, School and Division Accountability Committee. This plan met the following conditions agreed upon by the VBOE and Petersburg City Public Schools:

1. Alternative governance.
2. Choice option for middle school students and parents.
3. Research-based focus on core content.
4. Recruitment, selection, and supervision of highly qualified personnel by an independent entity.
5. Proven track record of educational success.

Federal school improvement funds that were allocated only to local education agencies (LEAs) with schools in improvement were available to cover the start-up costs for program development and implementation planning. On November 20, 2008, the VBOE requested that the Petersburg City School Board plan for the implementation of the contingency restructuring proposal in the 2009-2010 school year and authorized the VDOE to assist Petersburg City Public Schools in such planning by providing available federal resources. On April 30, 2009, Petersburg City Public Schools reported to the VBOE that a turnaround partner could not be secured. The VBOE requested that a vendor be selected no later than August 15, 2009, with implementation for students occurring no later than January 2010. At this time, no turnaround partner has been secured.

### **Summary of Major Elements**

The November 2006 MOU specified target goals for three years ending after the 2008-2009 school year. Additionally, Section 8 VAC 20-131-300 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), adopted by the VBOE in July 2009, requires school divisions with *Accreditation Denied* schools to enter into a MOU with the VBOE and implement a corrective action plan to improve student achievement in the identified schools. Since Petersburg City Public Schools have schools in *Accreditation Denied* status for the 2009-2010 academic year based on 2008-2009 results, the MOU for division-level academic review will also serve as the MOU to satisfy Section 8 VAC 20-131-310. As a part of the proposed MOU, a corrective action plans must be developed. The proposed MOU will be in place until all schools are fully accredited.

For the purposes of the proposed MOU, the Petersburg City School Board and central office staff will adopt two key priorities: *leadership capacity* and *teacher quality*. The priorities will improve student achievement across the school division and must be aligned with resources.

The VBOE and the VDOE will continue to assign a CAO to work with the superintendent and administrative staff to develop, coordinate and monitor the implementation of processes, procedures, and strategies associated with the corrective action plan resulting from the proposed MOU. The CAO will coordinate with VDOE offices to provide technical assistance in support of the MOU and corrective action plan. The CAO will have administrative authority over processes, procedures, and strategies that are implemented in support of the MOU and funded by targeted federal and state funds with subsequent review and approval by the Petersburg City School Board.

Petersburg City Public Schools will provide the CAO with an office in the central administration office; telephone, computer, and printer access, and clerical support, as needed. Key administrative responsibilities are included in the proposed MOU:

### Student Achievement

1. The central office leadership team under the direction of the CAO or designee will develop a consolidated federal application each year of the proposed MOU that complies with the findings of the efficiency review, focuses on improved student achievement, and connects strategies to the division's corrective action plan. The Petersburg City School Board will review and approve the consolidated federal application.
2. The central office leadership team under the direction of the CAO and Petersburg City School Board will develop and implement a corrective action plan that complies with the findings of the efficiency review, focuses on improved student achievement, and connects strategies to the full implementation of the algebra readiness and early reading initiatives.
3. The central office staff will provide monthly written reports on the implementation of the algebra readiness and early reading initiatives to include activities planned, activities completed, timelines, participation targets and requests for reimbursement to the CAO and the Petersburg City School Board.
4. The central office will work with school staff to implement effective corrective action plans for all schools that are in *Accreditation Denied* status and No Child Left Behind (NCLB) restructuring. The corrective action plans must meet the requirements of NCLB and the Standards of Accreditation (SOA) and be aligned with the division's key strategies for improved student achievement. Corrective action plans must be approved by the Petersburg City School Board, VBOE and VDOE. Additionally, progress reports on implementing the plans will be shared quarterly with these entities.
5. The central office will work with VDOE staff and the CAO to identify one or more external turnaround partners for the implementation of a specific restructuring plan that meets the requirements of NCLB for all schools in restructuring under NCLB and is approved by the VDOE.

### Leadership Capacity

Petersburg City Public Schools will implement an accountability system that links leadership of both the school and the division to student achievement data and provides professional development to improve student achievement. Petersburg City Public Schools will demonstrate commitment to hiring school and division staff with a proven record of increasing student achievement.

### Teacher Quality

The central office leadership team under the direction of the CAO or designee will develop and monitor individual action plans to reduce the incidence of teachers with provisional licenses. Petersburg City Public Schools will commit to hiring personnel who are the most qualified for the position vacancy and have a proven track record of increasing student achievement. A report for Petersburg City Public

Schools indicating the progress in hiring highly qualified staff for 2009-2010 is included as Attachment B.

Petersburg City Public Schools will provide written reports as requested by the CAO (as needed and appropriate) on current instructional vacancies, number of teachers with provisional licenses, and progress on individual action plans to reach full licensure to the VBOE and VDOE.

As a part of the proposed MOU, the Petersburg City School Board will continue to provide summative reports on progress made in meeting or exceeding MOU agreements and expectations to the VBOE and VDOE, as requested.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education accept for final review the attached revised Memorandum of Understanding (MOU) for Petersburg City Public Schools.

**Impact on Resources:** None

**Timetable for Further Review/Action:** None

**VIRGINIA BOARD OF EDUCATION  
PETERSBURG CITY SCHOOL BOARD**

**MEMORANDUM OF UNDERSTANDING  
Goals and Expected Outcomes**

**Background**

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A. P. Hill Elementary School

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	54.32	58.79	61.47	80.66
Mathematics Performance	48.75	64.20	63.68	80.16
Science Performance	44.12	58.06	61.83	74.03
History Performance		66.92	60.61	81.17
Did or Did not Make AYP	Did Not Make AYP	Did Not Make AYP Year 1 of Improvement	Did Not Make AYP Year 2 of Improvement	Made AYP Year 2 Holding of Improvement-Holding
Accreditation Status	Warned	Denied	Denied	Fully Accredited

J.E.B. Stuart Elementary

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	63.80	65.66	69.03	75.94
Mathematics Performance	62.58	50.3	73.25	64.02
Science Performance	67.59	62.62	68.24	58.65
History Performance		67.52	75.86	88.65
Did or Did not Make AYP	Did Not Make AYP Year 3 of Improvement	Did Not Make AYP Year 4 of Improvement	Did Not Make AYP Year 5 of Improvement	Did Not Make AYP Year 5 Holding of Improvement
Accreditation Status	Warned	Denied	Denied	Denied

Robert E. Lee Elementary

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	66.67	79.25	77.84	81.01
Mathematics Performance	64.76	84.91	77.01	83.05
Science Performance	69.33	76.71	75.42	88.39
History Performance		81.33	75.86	89.91
Did or Did not Make AYP	Made AYP	Made AYP	Made AYP	Made AYP
Accreditation Status	Warned	Fully Accredited	Fully Accredited	Fully Accredited

Walnut Hill Elementary

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	77.92	76.62	64.08	85.19
Mathematics Performance	77.92	76.51	72.08	81.19
Science Performance	71.24	73.44	70.33	73.11
History Performance		74.51	59.22	84.62
Did or Did not Make AYP	Made AYP	Made AYP	Made AYP	Made AYP
Accreditation Status	Warned	Fully Accredited	Accredited with Warning	Fully Accredited

Peabody Middle

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	46.25	45.15	51.78	64.17
Mathematics Performance	25.17	28.38	40.67	46.72
Science Performance	62.92	62.38	66.46	
History Performance		34.59	45.65	62.78
Did or Did not Make AYP	Did Not Make AYP Year 3 of School Improvement	Did Not Make AYP Year 4 of School Improvement	Did Not Make AYP Year 5 of School Improvement	Did Not Make AYP Year 5 Holding of School Improvement
Accreditation Status	Warned	Denied	Denied	Denied
Assessment data based on grade levels	6-8	6-8	6-8	6-7

Vernon Johns Middle School/Junior High

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	53.64	55.82	58.14	62.06
Mathematics Performance	34.44	39.08	50.31	88.87
Science Performance	62.77	73.99	71.10	68.23
History Performance		46.68	58.05	69.93
Did or Did not Make AYP	Did Not Make AYP Year 5 of School Improvement	Did Not Make AYP Year 6 of School Improvement	Did Not Make AYP Year 7 of School Improvement	Did Not Make AYP Year 7 Holding of School Improvement
Accreditation Status	Warned	Denied	Denied	Denied
Assessment data based on grade levels	6-8	6-8	6-8	8-9

Petersburg High School

Adequate Yearly Progress (AYP) Pass Rates	2006	2007	2008	2009
English Performance	75.64	76.01	87.06	90.10
Mathematics Performance	41.99	49.54	68.61	85.95
Science Performance	53.28	60.50	63.60	83.59
History Performance	53.28	60.50	63.60	83.59
Did or Did not Make AYP	Did Not Make AYP Year 3 of School Improvement	Did Not Make AYP Year 4 of School Improvement	Did Not Make AYP Year 5 of School Improvement	Made AYP Year 5 Holding of School Improvement
Title I Status	Not a Title I School			
Accreditation Status	Accreditation Denied	Accreditation Denied	Accreditation Denied	Fully Accredited
Assessment data based on grade levels	9-12	9-12	9-12	10-12

In 2008-2009, Petersburg City Public Schools restructured their middle and high school grades. Peabody Middle School and Vernon Johns Middle School moved from grades 6-8 to grades 6-7 and grades 8-9, respectively. Petersburg High school moved from grades 9-12 to grades 10-12. The rating in the 2009-2010 year provided in the data above is based on the assessment data from the previous year for the new grade configuration. The aggregated data for each grade level for English and mathematics in the division over the past five year period is provided below:

Petersburg City Public Schools - English

Test Level	SOL Test	2004-2005 Passed	2004-2005 Attempted	2004-2005 Pct Passed	2005-2006 Passed	2005-2006 Attempted	2005-2006 Pct Passed	2006-2007 Passed	2006-2007 Attempted	2006-2007 Pct Passed	2007-2008 Passed	2007-2008 Attempted	2007-2008 Pct Passed	2008-2009 Passed	2008-2009 Attempted	2008-2009 Pct Passed
3	English Reading	214	354	60.45	200	312	64.1	217	350	62	229	349	65.62	266	337	78.93
4	English Reading				234	348	67.24	240	304	78.95	240	336	71.43	238	322	73.91
5	English Reading	238	369	64.5	190	313	60.7	232	347	66.86	190	279	68.1	275	321	85.67
6	English Reading				203	382	53.14	168	326	51.53	176	317	55.52	161	265	60.75
7	English Reading				184	350	52.57	187	349	53.58	145	311	46.62	191	298	64.09
8	English Reading	162	415	39.04	161	408	39.46	167	395	42.28	195	349	55.87	175	285	61.4
11	English Reading	191	297	64.31	266	329	80.85	244	309	78.96	250	288	86.81	273	304	89.8

Petersburg City Public Schools - Mathematics

Test Level	SOL Test	2004-2005 Passed	2004-2005 Attempted	2004-2005 Pct Passed	2005-2006 Passed	2005-2006 Attempted	2005-2006 Pct Passed	2006-2007 Passed	2006-2007 Attempted	2006-2007 Pct Passed	2007-2008 Passed	2007-2008 Attempted	2007-2008 Pct Passed	2008-2009 Passed	2008-2009 Attempted	2008-2009 Pct Passed
3	Mathematics	259	353	73.37	230	310	74.19	246	355	69.3	245	349	70.2	253	337	75.07
4	Mathematics				197	347	56.77	194	302	64.24	221	336	65.77	247	322	76.71
5	Mathematics	222	369	60.16	189	309	61.17	240	347	69.16	180	279	64.52	241	318	75.79
6	Mathematics				65	385	16.88	50	306	16.34	106	283	37.46	99	214	46.26
7	Mathematics				33	363	9.09	57	346	16.47	68	299	22.74	104	290	35.86
8	Mathematics	193	423	45.63	192	372	51.61	194	387	50.13	195	338	57.69	235	288	81.6
11	Algebra I	196	330	59.39	246	437	56.29	237	293	80.89	300	352	85.23	448	478	93.72
11	Algebra II	67	189	35.45	74	143	51.75	104	216	48.15	134	210	63.81	74	87	85.06
11	Geometry	74	232	31.9	85	305	27.87	138	388	35.57	78	166	46.99	128	158	81.01

Additionally, Section 8 VAC 20-131-300 of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA), adopted by the VBOE in July 2009, requires school divisions with *Accreditation Denied* schools to enter into a MOU with the VBOE and implement a corrective action plan to improve student achievement in the identified schools. Since Petersburg City Public Schools have schools in *Accreditation Denied* status for the 2009-2010 academic year based on 2008-2009 results, the MOU for division-level academic review will also serve as the MOU to satisfy Section 8 VAC 20-131-310. As a part of this MOU, a corrective action plan must be developed.

Another area of concern addressed in the November 2006 MOU was the limited number of highly-qualified teachers employed by the division as well as the number of teachers who were provisionally licensed and the number of long-term substitutes employed as teachers in core content areas. Hard-to-staff funding was provided in the first two years of the MOU; however, results presented at the Senate Finance Committee on December 6, 2007, demonstrated little improvement in the number of provisional or unlicensed teachers employed by the division. On September 23, 2008, Petersburg City Public Schools reported that of the 399 teachers employed in 2008-2009, 393 (98 percent) were licensed; five teachers were not teaching in endorsed areas; 61 (15 percent) were new teachers; and six teachers were indicated as long-term substitutes.

The November 2006 MOU specified that a contingency plan be developed if the schools did not meet school accreditation targets:

*The Petersburg School Board, Virginia Board of Education, and the Department of Education will develop a contingency plan for major restructuring to be in place for the 2007-2008 school year if significant improvements in student achievement and school accreditation do not occur for the 2006-2007 school year. The decision to begin the planning for restructuring will be based on reports provided by Petersburg Public Schools to both the Virginia Board of Education and department staff as well as recommendations made by the CAO throughout the year.*

Although the development of the contingency restructuring plan was implemented one year later than planned in the November 2006 MOU, a committee of outside experts from universities, community-based organizations working in Petersburg, the CAO, and department staff met during the 2007-2008 year after assessments given in 2006-2007 resulted in the school division not meeting accountability goals of the MOU for two consecutive years. This committee developed an instructional intervention to be led by an outside entity for middle school students and parents (by choice of entry into the intervention) to begin in 2009-2010.

This plan was based in part on the work of Mass Insight Education and the concept of a turnaround zone. The committee agreed that the plan should include an outside partner to develop and implement a comprehensive “school within a school” model for middle grade students. The committee presented this plan at the June 18, 2008, meeting of the School and Division Accountability Committee. This plan met the following conditions agreed upon by the VBOE and Petersburg City Public Schools:

1. Alternative governance.
2. Choice option for middle school students and parents.
3. Research-based focus on core content.
4. Recruitment, selection, and supervision of highly qualified personnel by an independent entity.
5. Proven track record of educational success.

Federal school improvement funds that were allocated only to local education agencies (LEAs) with schools in improvement were available to cover the start-up costs for program development and implementation planning. On November 20, 2008, the VBOE requested that the Petersburg City School Board plan for the implementation of the contingency restructuring proposal in the 2009-2010 school year and authorized the VDOE to assist Petersburg City Public Schools in such planning by providing available federal resources. On April 30, 2009, Petersburg City Schools reported to the VBOE that a vendor could not be secured. The VBOE requested that a turnaround partner be selected no later than August 15, 2009, with implementation for students occurring no later than January 2010. At this time, no turnaround partner has been selected.

## **School Division Goals and Performance Objectives**

For the purposes of this MOU, the Petersburg City School Board and central office staff will adopt two key priorities: *leadership capacity* and *teacher quality*. The priorities will improve student achievement across the school division and must be aligned with resources.

This MOU will be in place until all schools are fully accredited.

## **Assignment of a Chief Academic Officer (CAO) to Petersburg Public Schools**

The VBOE and the VDOE will continue to assign a CAO to work with the superintendent and administrative staff to develop, coordinate and monitor the implementation of processes, procedures, and strategies associated with the corrective action plan resulting from this MOU. The CAO will coordinate with VDOE offices to provide technical assistance in support of the MOU and corrective action plan. The CAO will have administrative authority over processes, procedures, and strategies that are implemented in support of the MOU and funded by targeted federal and state funds with subsequent review and approval by the Petersburg City School Board.

Petersburg City Public Schools will provide the CAO with an office in the central administration office; telephone, computer, and printer access, and clerical support, as needed.

## **Key Administrative Responsibilities**

### Student Achievement

1. The central office leadership team under the direction of the CAO or designee will develop a consolidated federal application each year of this MOU that complies with the findings of the efficiency review, focuses on improved student achievement, and connects strategies to the division's corrective action plan. The Petersburg City School Board will review and approve the consolidated federal application.
2. The central office leadership team under the direction of the CAO and Petersburg City School Board will develop and implement a corrective action plan that complies with the findings of the efficiency review, focuses on improved student achievement, and connects strategies to the full implementation of the algebra readiness and early reading initiatives.
3. The central office staff will provide monthly written reports on the implementation of the algebra readiness and early reading initiatives to include activities planned, activities completed, timelines, participation targets and requests for reimbursement to the CAO and the Petersburg City School Board.
4. The central office will work with school staff to implement effective corrective action plans for all schools that are in *Accreditation Denied* status and No Child Left Behind (NCLB) restructuring. The corrective action plans must meet the requirements of NCLB and the Standards of Accreditation (SOA) and be aligned with the division's key strategies for improved student achievement. Corrective action plans must be approved by the Petersburg City School Board, VBOE and VDOE. Additionally, progress reports on implementing the plans will be shared quarterly with these entities.

5. The central office will work with VDOE staff and the CAO to identify one or more external turnaround partners for the implementation of a specific restructuring plan that meets the requirements of NCLB for all schools in restructuring under NCLB and is approved by the VDOE.

### Leadership Capacity

Petersburg City Public Schools will implement an accountability system that links leadership of both the school and the division to student achievement data and provides professional development to improve student achievement. Petersburg City Public Schools will demonstrate commitment to hiring school and division staff with a proven record of increasing student achievement.

### Teacher Quality

The central office leadership team under the direction of the CAO or designee will develop and monitor individual action plans to reduce the incidence of teachers with provisional licenses. Petersburg City Public Schools will commit to hiring personnel who are the most qualified for the position vacancy and have a proven track record of increasing student achievement.

Petersburg City Public Schools will provide written reports as requested by the CAO (as needed and appropriate) on current instructional vacancies, number of teachers with provisional licenses, and progress on individual action plans to reach full licensure to the VBOE and VDOE.

### **Status Reports to the Virginia Board of Education**

The Petersburg City School Board will provide a summative report on progress made in meeting or exceeding MOU agreements and expectations to the VBOE and VDOE, as requested.

**Authorizations**

I (We) agree to work collaboratively to implement the requirements of the Memorandum of Understanding (MOU) for the purpose of improving student achievement in Petersburg City Public Schools.

<p><b>Printed Name:</b> _____</p> <p><b>Title:</b> Chair, Petersburg City School Board</p> <p><b>Signature:</b> _____</p> <p><b>Date:</b> _____</p>	<p><b>Printed Name:</b> _____</p> <p><b>Title:</b> Superintendent, Petersburg City Public Schools</p> <p><b>Signature:</b> _____</p> <p><b>Date:</b> _____</p>
<p><b>Printed Name:</b> _____</p> <p><b>Title:</b> President, Virginia Board of Education</p> <p><b>Signature:</b> _____</p> <p><b>Date:</b> _____</p>	<p><b>Printed Name:</b> _____</p> <p><b>Title:</b> Superintendent of Public Instruction</p> <p><b>Signature:</b> _____</p> <p><b>Date:</b> _____</p>

## PETERSBURG CITY PUBLIC SCHOOLS

## Teacher Profile

Description	SY2005-06	SY2006-07	SY2007-08	SY2008-09	(Sept) SY2009-10
<b>Number of Teachers</b>	424	429	422	399	376
<b>Licensed Teachers</b>	396 = 93.4%	415 = 96.7%	401 = 95%	393 = 98%	376 = 100%
<b>Unlicensed Teachers</b>	28 = 6.6%	14 = 3.3%	21 = 5%	2	0
<b>Number of Teachers Designated as Substitutes</b>	18	20	20	6	5
<b>Substitutes Unlicensed</b>	11	12	16	6	4
<b>New Teachers</b>	54 = 12.7%	47 = 11%	36 = 8.5%	61 = 15%	29 = 7.7%
<b>Number Of Title I Teachers</b>	199	199	185	163	167
<b>Highly Qualified Professional Development</b>	100%	100%	100%	100%	100%
<b>Highly Qualified Teachers</b>	83.60%	90.7%	86.7%	85%	98%
<b>Average Years Teaching Experience</b>	11.7	11.6	12.4	12.2	12.8%
<b>Teacher Turnover</b>	128 = 29.4%	92 = 21.7%	116 = 27%	67 = 17%	36 = 9%
<b>Post Graduate Degrees</b>	~	~	~	~	
<b>Masters</b>	124	138	144	133	124
<b>Juris Doctorate</b>	1	1	1	1	1
<b>Education Sp.</b>	0	0	0	0	0
<b>Doctorate</b>	2	3	1	1	4

# Board of Education Agenda Item

Item: \_\_\_\_\_ E. \_\_\_\_\_

Date: November 17, 2009

Topic: First Review of the Annual Report for State-Funded Remedial Programs

Presenter: Dr. Kathleen M. Smith, Director, Office of School Improvement, Division of Student Assessment and School Improvement

Telephone Number: 804-225-2865

E-Mail Address: Kathleen.Smith@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
 Board of Education regulation  
 Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_

## Previous Review/Action:

No previous board review/action

Previous review/action  
Date \_\_\_\_\_ Action: \_\_\_\_\_

## Background Information:

§22.1-199.2.B. of the Code of Virginia (*Code*) requires the Virginia Board of Education to collect, compile, and analyze data required to be reported by local school divisions to accomplish a statewide review and evaluation of remediation programs. The *Code* further requires that the Board annually report its analysis of the data submitted and a statewide assessment of remediation programs, with any recommendations, to the Governor and the General Assembly beginning December 1, 2000. In April 2009, the Virginia Board of Education approved remedial plans for local school divisions.

## Summary of Major Elements:

Data for the summer 2008 remedial summer programs were collected after the results of the 2009 Standards of Learning assessments were released. A summary of the remedial plans for all school divisions for summer remedial programs held in 2008 and intersession programs in the case of year-round schools in 2008-2009 is included in the attached report as Appendix A. Appendix B contains the regulations specifying standards for state-funded remedial programs.

The report also contains a summary of funding amounts provided to each local school division (Appendix C) for Standards of Learning Remediation and Standards of Learning Remedial Summer School.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Virginia Board of Education waive first review and accept the attached report for submission to the Governor and General Assembly as required by §22.1-199.2.B. of the *Code*.

**Impact on Resources:** None

**Timetable for Further Review/Action:** None



VIRGINIA BOARD OF EDUCATION

**REPORT**

**ANALYSIS AND ASSESSMENT OF  
STATE-FUNDED REMEDIAL  
PROGRAMS**

**NOVEMBER 2009**

**DIVISION OF STUDENT ASSESSMENT  
AND SCHOOL IMPROVEMENT**

## Introduction

### **Analysis and Assessment of State-Funded Remedial Programs**

§22.1-199.2.B. of the *Code of Virginia (Code)* requires the Virginia Board of Education (Board) to collect, compile, and analyze data required to be reported by local school divisions to accomplish a statewide review and evaluation of remediation programs. The *Code* further requires that the Board annually report its analysis of the data submitted and a statewide assessment of remediation programs, with any recommendations, to the Governor and the General Assembly.

### **Regulations for State-Funded Remedial Programs**

#### **Background**

Section 22.1-199.2A. of the *Code* requires the Virginia Board of Education to promulgate regulations establishing standards for remediation programs that receive state funding, without regard to state funding designations. After Board approval on January 14, 2003, regulation 8 VAC 20-630 was placed in the *Virginia Register of Regulations* on February 25, 2003, and became effective on March 28, 2003.

Regulation 8 VAC 20-630, Appendix B, institutes a maximum pupil-teacher ratio for state-funded summer remedial programs and requires school divisions to submit a remediation plan, record and report specified data pertaining to their state-funded remedial programs, maintain an individual student record indicating the student's expected remediation goal, and annually evaluate the success of those programs. Appendix B also provides standards for state-funded remedial programs.

Language contained in Item 140.B.115, Chapter 781, 2009 Acts of Assembly, states that school divisions may choose to use state payments provided for Standards of Quality prevention, intervention, and remediation in both years as a block grant for remediation purposes without restrictions or reporting requirements other than reporting necessary as a basis for determining funding for the program. For the 2008-2009 fiscal year, school divisions choosing to use Standards of Quality remediation funds as block grants were not subject to restrictions or reporting requirements. Consequently, data for the 2008-2009 fiscal year were not reported for this program because all school divisions were participating in the block grant program.

## Description of State-Funded Remedial Program

### Standards of Learning Remedial Summer School

The Standards of Quality §22.1-253.13:1 require division superintendents to provide a program of prevention, intervention, or remediation that may include remedial summer school to students who are educationally at-risk including, but not limited to:

- a. those who fail to achieve a passing score on any Standards of Learning assessment in grades 3 through 8; or
- b. those who fail an end-of-course test required for the award of a verified unit of credit required for the student's graduation.

The 2008-2010 appropriation act provides funds to each local school division for the operation of programs designed to remediate students who are required to attend. The act requires that students attending these programs neither be charged tuition nor awarded high school credit.

**Appendix A**

**Data Reported by School Division  
Required by 8 VAC 20-630**

8-VAC 20-630-50 requires each local division to annually collect and report to the Department of Education, online or on forms provided by the Department, the following data pertaining to eligible students:

1. The number of students failing a state sponsored test required by the Standards of Quality or Standards of Accreditation;
2. A demographic profile of students attending state-funded remedial programs;
3. The academic status of each student attending state-funded remedial programs;
4. The types of instruction offered;
5. The length of the program(s);
6. The cost of the program(s);
7. The number of disabled students and those with limited English proficiency;
8. As required, the pass rate on Standards of Learning assessments; and,
9. The percentage of students at each grade level who have met their remediation goals.

**Data reported for summer remedial programs held in 2008.**

<b>Type of Program(s) Offered in the Summer of 2008 or in the case of year-round schools (2008-2009)</b>	<b>Percentage of Localities</b>
An integrated summer remedial program in K-5 or intersession program in the case of year-round schools (2008-2009)	83.0%
A summer remedial program or intersession program in the case of year-round schools (2008-2009) in one or more content areas grades K-8	99.2%
A summer remedial program or intersession program in the case of year-round schools (2008-2009) in one or more content areas for secondary programs	89.2%

Demographic Profile	Number Reported	Percent of Total
<p>A demographic profile of the students who attended remedial programs in 2008 or in the case of year-round schools (2008-2009)</p> <p>Total Number</p> <p>Male</p> <p>Female</p> <p>Unspecified</p> <p>American/Indian Alaska Native</p> <p>Asian/Pacific Islander</p> <p>Black or African American, not of Hispanic origin</p> <p>Hispanic</p> <p>White, not of Hispanic origin</p> <p>Native Hawaiian</p>	<p>95,641</p> <p>52,150</p> <p>43,491</p> <p>2,242</p> <p>215</p> <p>3,574</p> <p>41,253</p> <p>15,515</p> <p>32,615</p> <p>164</p>	<p>100.0%</p> <p>54.5%</p> <p>45.5%</p> <p>2.3%</p> <p>0.2%</p> <p>3.7%</p> <p>43.1%</p> <p>15.8%</p> <p>34.1%</p> <p>0.2%</p>
<p>The number of students who attended remedial programs in 2008 or in the case of year-round schools (2008-2009) and who failed a state-sponsored test required by the Standards of Quality or Standards of Accreditation</p> <p>Kindergarten-8<sup>th</sup> Grade</p> <p>Grades 9-12</p>	<p>27,565</p> <p>5,854</p>	<p>37.5%</p> <p>8.0%</p>
<p>The academic status of students who attended remedial programs in 2008 or in the case of year-round schools (2008-2009) and who were retained in 2007-2008.</p>	<p>6,886</p>	<p>9.4%</p>

The number of disabled students and those with limited English proficiency who attended remedial programs in 2008 or in the case of year-round schools (2008-2009)	Number Reported	Percent of Total
Disabled Students	17,392	23.7%
Limited English Proficiency	15,783	21.5%

<b>SOL Goal Attainment</b> The percentage of students who attended remedial summer school in 2008 at each grade level who have met their remediation goals either <b>benchmark tests or SOL tests.</b>	English	Math	Science	History/ Social Science
<b>3</b>	70	69	69	84
<b>4</b>	71	67	████	62
<b>5</b>	71	71	66	79
<b>6</b>	73	62	████	72
<b>7</b>	71	62	████	79
<b>8</b>	67	67	73	65
<b>9-12</b>	80	78	73	81

**Note:** 8 VAC 20-630-30 requires each local school division to record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of a target score on a locally designed or selected test which measures the SOL content being remediated; and (iii) whether the student did or did not meet the expected remediation goal. The percentages indicated reflect the number of students who met their remediation goal, including the SOL assessment, if appropriate.

<b>SOL Goal Attainment</b> The percentage of students who attended remedial summer school in 2008 at each grade level who have met their remediation goals of <b>SOL only.</b>	<b>English</b>	<b>Math</b>	<b>Science</b>	<b>History/ Social Science</b>
<b>3</b>	74	75	59	71
<b>4</b>	79	73	██████	55
<b>5</b>	75	70	59	68
<b>6</b>	68	48	██████	60
<b>7</b>	70	56	██████	77
<b>8</b>	62	59	68	56
<b>9-12</b>	68	67	56	65

<b>Cost of Program</b>		
The cost of the program(s) for remedial programs in 2008.	<b>State Funds Expended</b>	\$25,595,150.13
	<b>Non-State Funds Expended</b>	\$32,591,426.30
Cost per pupil: \$608.39	<b>Total</b>	\$58,186,576.43

## Appendix B

**Standards for State-Funded Remedial Programs  
8 VAC 20-630****8 VAC 20-630-10 Definitions.**

*The following words and terms when used in this regulation, shall have the following meanings, unless the context clearly indicates otherwise:*

*“Eligible students”* are those students who meet either (i) the criteria identifying students who are educationally at risk, which have been established by the local school board, or (ii) the state criteria identifying students who are educationally at risk as specified in §22.1-253.13:1.

*“Regular instructional day”* means the length of the school day in which instruction is provided for all children, but excluding before- and after-school programs for state-funded remedial programs.

*“Regular school year”* means the period of time during which the local school division provides instruction to meet the Standards of Quality, exclusive of summer school, Saturday sessions, or intersession periods.

*“State-funded remedial programs”* include those programs defined in the local school division’s remediation plan which serve eligible students from state funding sources.

**8 VAC 20-630-20 Remediation plan development and approval.**

Each local school division shall develop a remediation plan designed to strengthen and improve the academic achievement of eligible students. Local school divisions shall submit these plans at a time to be determined by the Superintendent of Public Instruction for approval by the Virginia Board of Education. Following approval of the plan, each local school division shall submit a budget for the remediation plan that identifies the sources of state funds in the plan.

**8 VAC 20-630-30 Individual student record.**

Each local school division shall record, for each eligible student attending a state-funded remedial program: (i) the state or local criteria used to determine eligibility; (ii) the expected remediation goal for the student in terms of a target score on a locally designed or selected test which measures the SOL content being remediated; and (iii) whether the student did or did not meet the expected remediation goal.

**8 VAC 20-630-40 Program evaluation.**

Each local school division shall annually evaluate and modify, as appropriate, their remediation plan based on an analysis of the percentage of students meeting their remediation goals. The pass rate on the Standards of Learning

assessments shall also be a measure of the effectiveness of the remedial program.

#### **8 VAC 20-630-50 Reporting requirements.**

Annually, each local school division shall collect and report to the Department of Education, online or on forms provided by the Department, the following data pertaining to eligible students:

1. The number of students failing a state sponsored test required by the Standards of Quality or Standards of Accreditation;
2. A demographic profile of students attending state-funded remedial programs;
3. The academic status of each student attending state-funded remedial programs;
4. The types of instruction offered;
5. The length of the program(s);
6. The cost of the program(s);
7. The number of ungraded and disabled students, and those with limited English proficiency;
8. As required, the pass rate on Standards of Learning assessments; and
9. The percentage of students at each grade level who have met their remediation goals.

#### **8 VAC 20-630-60 Teacher qualifications and staffing ratios.**

Each local school division implementing a state-funded remedial summer school program shall provide a minimum of 20 hours of instruction per subject, exclusive of field trips, assemblies, recreational activities, lunch or post-program testing time.

For state-funded remedial summer school programs in grades K-5 that offer an integrated curriculum, a minimum of 40 hours of instruction shall be required.

The pupil-teacher ratios for state-funded summer remedial programs shall not exceed 18:1.

Individuals who provide instruction in the state-funded remedial programs shall be licensed to teach in Virginia or work under the direct supervision of an individual who is licensed to teach in Virginia; be qualified to provide instruction in the area to be remediated; and be trained in remediation techniques.

#### **8 VAC 20-630-70 Transportation formula.**

Pursuant to the provisions of the state's appropriation act, funding for transportation services provided for students who are required to attend state-funded remedial programs outside the regular instructional day shall be based on a per pupil per day cost multiplied by the number of student days the program

operates (i.e., the number of instructional days the state-funded remedial programs are offered multiplied by the number of students who attend the state-funded remedial programs). The per pupil per day cost shall be based on the latest prevailing cost data used to fund pupil transportation through the Standards of Quality.

For state-funded remedial programs that operate on days that are in addition to the regular school year, 100 percent of the per pupil per day cost shall be used in the formula. For state-funded remedial programs that begin before or end after the regular instructional day, 50 percent of the per pupil per day cost shall be used in the formula. The state share of the payment shall be based on the composite index.

Appendix C

**FY 2009 Remedial Summer School Payment  
Summer 2008 or Intersession 2008-09**

<b>Division Number</b>	<b>Division Name</b>	<b>FY 2009 Elementary Remedial Summer School Students</b>	<b>FY 2009 Secondary Remedial Summer School Students</b>	<b>FY 2009 Remedial Summer School Payment for Summer 2008 Enrollment</b>
001	ACCOMACK	-	5.00	1,450.00
002	ALBEMARLE	748.00	76.00	144,064.00
003	ALLEGHANY	88.00	43.00	47,351.00
004	AMELIA	199.00	79.00	87,637.00
005	AMHERST	307.00	113.00	143,393.00
006	APPOMATTOX	260.00	67.00	114,767.00
007	ARLINGTON	2,885.00	1,444.00	401,731.00
008	AUGUSTA	588.00	164.00	233,817.00
009	BATH	51.00	1.00	4,826.00
010	BEDFORD	668.00	107.00	233,956.00
011	BLAND	-	-	-
012	BOTETOURT	110.00	3.00	33,525.00
013	BRUNSWICK	402.00	49.00	154,521.00
014	BUCHANAN	357.00	40.00	132,188.00
015	BUCKINGHAM	227.00	81.00	108,413.00
016	CAMPBELL	616.00	43.00	234,224.00
017	CAROLINE	256.00	17.00	78,321.00
018	CARROLL	434.00	38.00	164,913.00
019	CHARLES CITY	25.00	22.00	12,732.00
020	CHARLOTTE	167.00	14.00	67,044.00
021	CHESTERFIELD	3,912.00	241.00	1,262,758.00
022	CLARKE	118.00	14.00	23,813.00
023	CRAIG	55.00	-	18,400.00
024	CULPEPER	-	-	-
025	CUMBERLAND	325.00	90.00	142,475.00
026	DICKENSON	27.00	16.00	16,047.00
027	DINWIDDIE	382.00	128.00	178,379.00
028	ESSEX	192.00	19.00	58,047.00
029	FAIRFAX	6,532.00	894.00	809,731.00
030	FAUQUIER	161.00	34.00	29,759.00
031	FLOYD	152.00	16.00	52,742.00
032	FLUVANNA	137.00	106.00	71,203.00
033	FRANKLIN	515.00	106.00	176,200.00
034	FREDERICK	-	-	-
035	GILES	92.00	8.00	34,471.00

**VIRGINIA BOARD OF EDUCATION**

<b>Division Number</b>	<b>Division Name</b>	<b>FY 2009 Elementary Remedial Summer School Students</b>	<b>FY 2009 Secondary Remedial Summer School Students</b>	<b>FY 2009 Remedial Summer School Payment for Summer 2008 Enrollment</b>
036	GLOUCESTER	306.00	40.00	105,060.00
037	GOOCHLAND	245.00	54.00	27,747.00
038	GRAYSON	128.00	35.00	55,915.00
039	GREENE	128.00	32.00	50,305.00
040	GREENSVILLE	367.00	45.00	154,942.00
041	HALIFAX	513.00	88.00	212,494.00
042	HANOVER	659.00	123.00	213,427.00
043	HENRICO	2,974.00	308.00	865,130.00
044	HENRY	499.00	48.00	195,331.00
045	HIGHLAND	13.00	-	1,946.00
046	ISLE OF WIGHT	300.00	50.00	102,361.00
047	JAMES CITY	589.00	229.00	178,921.00
048	KING GEORGE	144.00	-	39,588.00
049	KING QUEEN	-	-	-
050	KING WILLIAM	119.00	17.00	44,690.00
051	LANCASTER	133.00	19.00	15,347.00
052	LEE	-	30.00	11,760.00
053	LOUDOUN	-	-	-
054	LOUISA	307.00	66.00	79,682.00
055	LUNENBURG	220.00	27.00	90,174.00
056	MADISON	-	15.00	3,565.00
057	MATHEWS	52.00	70.00	26,396.00
058	MECKLENBURG	448.00	14.00	153,316.00
059	MIDDLESEX	128.00	5.00	19,890.00
060	MONTGOMERY	579.00	166.00	224,830.00
062	NELSON	153.00	56.00	41,622.00
063	NEW KENT	102.00	57.00	43,779.00
065	NORTHAMPTON	4.00	23.00	5,660.00
066	NORTHUMBERLAND	173.00	65.00	29,750.00
067	NOTTOWAY	307.00	62.00	133,189.00
068	ORANGE	238.00	96.00	86,864.00
069	PAGE	135.00	136.00	84,714.00
070	PATRICK	399.00	-	140,851.00
071	PITTSYLVANIA	619.00	-	222,736.00
072	POWHATAN	198.00	14.00	61,087.00
073	PRINCE EDWARD	197.00	104.00	101,494.00
074	PRINCE GEORGE	320.00	33.00	128,200.00
075	PRINCE WILLIAM	6,579.00	832.00	1,912,951.00
077	PULASKI	381.00	121.00	169,339.00
078	RAPPAHANNOCK	-	16.00	1,485.00
079	RICHMOND	109.00	14.00	37,759.00

**VIRGINIA BOARD OF EDUCATION**

<b>Division Number</b>	<b>Division Name</b>	<b>FY 2009 Elementary Remedial Summer School Students</b>	<b>FY 2009 Secondary Remedial Summer School Students</b>	<b>FY 2009 Remedial Summer School Payment for Summer 2008 Enrollment</b>
080	ROANOKE	305.00	-	94,125.00
081	ROCKBRIDGE	200.00	11.00	51,615.00
082	ROCKINGHAM	1,176.00	145.00	416,557.00
083	RUSSELL	524.00	42.00	208,024.00
084	SCOTT	783.00	196.00	370,264.00
085	SHENANDOAH	145.00	95.00	66,192.00
086	SMYTH	287.00	98.00	142,501.00
087	SOUTHAMPTON	182.00	98.00	96,427.00
088	SPOTSYLVANIA	1,368.00	36.00	410,743.00
089	STAFFORD	1,693.00	576.00	670,749.00
090	SURRY	102.00	21.00	19,170.00
091	SUSSEX	179.00	82.00	87,207.00
092	TAZEWELL	199.00	52.00	89,468.00
093	WARREN	66.00	106.00	45,610.00
094	WASHINGTON	456.00	167.00	192,522.00
095	WESTMORELAND	189.00	22.00	47,317.00
096	WISE	308.00	17.00	123,686.00
097	WYTHE	138.00	37.00	57,417.00
098	YORK	348.00	66.00	122,327.00
101	ALEXANDRIA	2,168.00	621.00	258,819.00
102	BRISTOL	158.00	78.00	69,382.00
103	BUENA VISTA	131.00	35.00	62,205.00
104	CHARLOTTESVILLE	320.00	179.00	90,507.00
106	COLONIAL HEIGHTS	152.00	11.00	43,193.00
107	COVINGTON	67.00	24.00	29,341.00
108	DANVILLE	918.00	110.00	362,800.00
109	FALLS CHURCH	141.00	52.00	17,910.00
110	FREDERICKSBURG	292.00	93.00	36,746.00
111	GALAX	107.00	32.00	47,611.00
112	HAMPTON	3,350.00	213.00	1,263,400.00
113	HARRISONBURG	512.00	175.00	188,105.00
114	HOPEWELL	281.00	71.00	126,808.00
115	LYNCHBURG	518.00	139.00	203,425.00
116	MARTINSVILLE	276.00	135.00	147,815.00
117	NEWPORT NEWS	3,740.00	1,682.00	1,879,057.00
118	NORFOLK	3,178.00	261.00	1,182,730.00
119	NORTON	-	31.00	9,932.00
120	PETERSBURG	177.00	142.00	118,294.00
121	PORTSMOUTH	674.00	64.00	270,110.00
122	RADFORD	72.00	15.00	28,916.00
123	RICHMOND CITY	4,013.00	614.00	1,229,760.00

**VIRGINIA BOARD OF EDUCATION**

<b>Division Number</b>	<b>Division Name</b>	<b>FY 2009 Elementary Remedial Summer School Students</b>	<b>FY 2009 Secondary Remedial Summer School Students</b>	<b>FY 2009 Remedial Summer School Payment for Summer 2008 Enrollment</b>
124	ROANOKE CITY	1,229.00	67.00	395,684.00
126	STAUNTON	205.00	35.00	68,498.00
127	SUFFOLK	1,035.00	895.00	628,386.00
128	VIRGINIA BEACH	3,502.00	564.00	1,187,818.00
130	WAYNESBORO	152.00	53.00	63,445.00
131	WILLIAMSBURG	84.00	39.00	11,414.00
132	WINCHESTER	527.00	209.00	157,707.00
134	FAIRFAX CITY	183.00	50.00	21,622.00
135	FRANKLIN CITY	323.00	81.00	137,105.00
136	CHESAPEAKE	4,757.00	384.00	1,663,833.00
137	LEXINGTON	65.00	-	17,975.00
138	EMPORIA	-	-	-
139	SALEM	240.00	50.00	87,222.00
140	BEDFORD CITY	55.00	20.00	25,049.00
142	POQUOSON	107.00	16.00	38,866.00
143	MANASSAS	376.00	228.00	150,834.00
144	MANASSAS PARK	298.00	71.00	105,469.00
202	COLONIAL BEACH	81.00	47.00	34,721.00
207	WEST POINT	86.00	11.00	34,125.00
<b>TOTAL</b>		<b>82,951.00</b>	<b>16,652.00</b>	<b>27,155,755.00</b>

\*Bland County Public Schools, Culpeper County Public Schools, Frederick County Public Schools, King and Queen County Public Schools and Loudoun County Public Schools did not offer a summer remedial program in 2008.

\*\*Emporia City is included in Greensville County Public Schools results.

# Board of Education Agenda Item

Item: \_\_\_\_\_ F. \_\_\_\_\_

Date: November 17, 2009

**Topic:** First Review of a Report on the Investigation of a Testing Irregularity and Resulting Non-compliance with 8 VAC 20-131-30 of the Standards for Accrediting Schools at William Fleming High School in Roanoke City for the 2008-2009 School Year

**Presenter:** Mrs. Shelley Loving-Ryder, Assistant Superintendent, Division of Student Assessment and School Improvement

**Telephone Number:** 804-225-2102 **E-Mail Address:** [Shelley.Loving-Ryder@doe.virginia.gov](mailto:Shelley.Loving-Ryder@doe.virginia.gov)

## Origin:

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other: Previous Board Resolution \_\_\_\_\_

Action requested at this meeting

## Previous Review/Action:

No previous board review/action

Previous review/action

date:

action:

## Background Information:

In May 2009, Virginia Department of Education (VDOE) staff received a report of possible Standards of Learning (SOL) testing irregularities at William Fleming High School in Roanoke, Virginia. The report alleged that students were being removed from classes with SOL end-of-course (EOC) tests just before the beginning of the testing window.

VDOE staff alerted Roanoke City's Division Director of Testing (DDOT) to the alleged irregularity and asked her to conduct an investigation. During the course of the investigation, Roanoke City staff discovered that a number of students with disabilities had been affected by the irregularity. Based on the involvement of special education students, staff from the Division of Special

Education and Student Services at the Virginia Department of Education conducted an on-site investigation. The report of that investigation is included as Attachment A.

While Roanoke City staff members were able to identify and test most students who were removed from classes with associated EOC tests just prior to the spring 2009 administration, there were some students who were not identified in time to test them prior to the close of the school year.

**Summary of Major Elements:**

The Standards for Accrediting Schools at 8 VAC 20-131-30 Part III E states “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction.” The Board of Education is asked to review the results of the investigation of the testing irregularity and the actions taken by the school division in response to the report to determine whether action regarding the accreditation of William Fleming High School is required.

According to the Standards for Accrediting Schools, 8VAC 20-131-340. Special Provisions and Sanctions:

A. Any school in violation of these regulations shall be subject to appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.

B. A school's accreditation rating may be withheld by action of the Board of Education for any school found to be in violation of test security procedures pursuant to § 22.1-19.1 of the Code of Virginia. Withholding of a school's accreditation rating shall not be considered an interruption of the three-consecutive-year period for purposes of receiving an Accreditation Denied status pursuant to 8 VAC 20-131-300.

C. The Board of Education may exercise its authority to seek school division compliance with school laws pursuant to relevant provisions of the Code of Virginia when any school within a division is rated Accreditation Denied.

The existing accreditation procedures exclude students who were not tested from the calculations. However, to assist the Board in determining the appropriate actions regarding the accreditation ratings for William Fleming, the Board will be presented with 1) pass rates and accreditation ratings calculated using the existing procedure in which these students were not counted and 2) pass rates and accreditation ratings calculated with these students counted as **failing**.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education waive first review and determine Roanoke City Schools' compliance with the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA). In 8 VAC 20-131-30 Part III B, the SOA states, “each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction.” According to the *Standards for Accrediting Schools, 8VAC 20-131-340 Special Provisions and Sanctions, any school in violation of these regulations shall be subject to Appropriate action by the Board of Education including, but not limited to, the withholding or denial of a school's accreditation.*

**Impact on Resources:** N/A

**Timetable for Further Review/Action:** N/A

**REPORT  
TO  
ROANOKE CITY PUBLIC SCHOOLS**

**On the investigation of irregularities related to the  
Standards of Learning testing requirements and students at  
William Fleming High School**

**June 10, 2009**



## **ACKNOWLEDGEMENT**

The Virginia Department of Education Review Team expresses its appreciation to Dr. Rita D. Bishop, Superintendent of Roanoke City Public Schools (RCPS), the staff at William Fleming High School, and staff at RCPS central office for assisting us during our on-site review. All staff members were very cooperative and responsive to our requests for data, records, and scheduling of interviews.

We are particularly grateful to Dr. Vella Wright, Assistant Superintendent for Teaching and Learning, and her staff for their efforts to retrieve requested documents and data, for scheduling staff interviews with our team, and arranging work/interview rooms for our team.

We are also grateful to Dr. Bishop and Dr. Wright and their staffs who graciously extended their hospitality to make our on-site visit comfortable.

Virginia Department of Education Review Team

# VIRGINIA DEPARTMENT OF EDUCATION

## EXECUTIVE SUMMARY

On May 5, 2009, the Virginia Department of Education (VDOE) received a telephone call complaint alleging that selected students, general education and special education, had their course schedules changed for Algebra 1 at William Fleming High School (WFHS), Roanoke City Public Schools (RCPS), effectively removing them from taking the SOL test(s). These students, however, remained in the same class during the same class periods, but were reassigned to Algebra-Part 1 so that they would not be scheduled to take the SOL test for Algebra 1 for the Spring 2009 testing period. Additional calls from WFHS staff to VDOE and RCPS' initial review of data and interviews of selected staff at WFHS disclosed that the similar modifications to students' schedules had occurred during the Spring 2008 testing period, as well as the Spring 2009 testing period and that all testing categories (4 core subject areas) were affected for both testing periods. Because of the involvement of special education students in the schedule manipulation and the potential impact of not participating in SOL tests on their diploma status, VDOE's Division of Special Education and Student Services, Office of Dispute Resolution and Administrative Services initiated an investigation.

A three-member VDOE Review Team conducted an investigation regarding this complaint. The team made one two-day site visit; interviewed two central office administrators; interviewed 10 WFHS administrators and teachers; reviewed 11 written statements of WFHS administrators and teachers; analyzed 13,838 data record entries; reviewed 374 IEPs; and analyzed school attendance data covering the Spring 2008 testing period (April 14-June 12, 2008) and the Spring 2009 testing period (April 21-June 5, 2009). The data records related to: course enrollments (end-of-course/EOC classes) and class schedules, attendance records, test data, and IEPs.

The regulatory framework for the investigation included: the *Code of Virginia*, § 22.1-253.13:3 D; *No Child Left Behind Act* regulations, 34 C.F.R. § 200.6 (a)(1); *Individuals with Disabilities Education Improvement Act*, 20 U.S.C. § 1412 (a)(16)(A); *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8 VAC 20-131-30 E and F.

## FINDINGS

1. Improper administration of testing occurred at William Fleming High School during the Spring 2008 and 2009 SOL testing periods. The course schedules for 31 students with disabilities were manipulated for the purpose of influencing WFHS' pass rates. The diploma status of 22<sup>1</sup> of these students was adversely impacted by the

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<sup>1</sup> Two of these students were involved in testing irregularities during both the Spring 2008 and 2009 SOL testing periods.

manipulation of their course schedules. All testing categories (4 core subject areas) were affected.

- a. In further refining the data, the VDOE Review Team found that 35 students with disabilities, for whom class schedules were not changed, were enrolled in EOC classes but did not take the SOL assessments during the Spring 2008 and 2009 SOL testing periods. Because these additional students were not part of the original complaint, the VDOE Review Team did not include this population in the team's on-site investigation. However, the team brings it to the attention of RCPS and will recommend additional action by RCPS in the Corrective Action Plan.
2. The course schedules for general education students were also manipulated for the same purpose. The Virginia Department of Education's Division of Student Assessment and School Improvement worked with RCPS Superintendent Rita Bishop and staff to ensure full inclusion of these students and the above referenced special education students in the Spring 2009 SOL testing period.
3. The violations that occurred in the implementation of the Spring 2008 and Spring 2009 SOL assessments are specific to William Fleming High School and not indicative of a systemic division-wide issue. VDOE's review of RCPS' data relative to Patrick Henry High School found no testing irregularities.
4. RCPS central office administrators had no role in the violations created at William Fleming High School specific to the testing of students during the Spring 2008 and 2009 testing periods.
5. The administrators at William Fleming High School in the specific positions of principal, assistant principals (2), school testing coordinator, and special education department chair are responsible for the violations that occurred in this situation. They were fully aware of the regulatory requirements and yet, proceeded to change (or allowed to be changed) students' schedules in proximity to the testing windows. Evidence documents that the principal directed their course of action.
6. The other administrators and teachers, targeted for VDOE's investigation, were not complicit or culpable in this instance.
7. Administrators and teachers at William Fleming High School were properly trained in SOL implementation and testing requirements.
8. The absence of a division-wide tracking system of the SOL Assessment program restricted RCPS central office's oversight of the testing program at William Fleming High School.

9. Roanoke City Public Schools incurred six (6) areas of violations under the federal and state laws and regulations governing special education.

### **CORRECTIVE ACTION PLAN**

The Virginia Department of Education has developed a Corrective Action Plan to assist Roanoke City Public Schools in correcting the deficiencies identified in the team's report. The components of this action plan include:

- Dr. Rita Bishop taking appropriate action to ensure proper SOL implementation at William Fleming High School.
- RCPS initiating remedial action for the students with disabilities identified in VDOE's report who graduated in 2008 and 2009 for whom adjustments may be due relative to their diploma status. This includes RCPS providing sufficient tutorial and remedial assistance as necessary for any one of these students.
- RCPS initiating remedial action for the students with disabilities identified in VDOE's report who have not graduated but may be entitled to readjustments relative to their diploma status. This includes RCPS providing sufficient tutorial and remedial assistance as needed to help the student in preparing for any required SOL assessment that should have been taken during the Spring 2008 SOL testing period.
- RCPS developing a mechanism for tracking the participation of RCPS' students in the statewide testing program.
- RCPS developing a plan that addresses additional oversight that will be provided by RCPS' staff in the Office of Research, Testing, and Evaluation, and the Office of Exceptional Student Education to RCPS' School Testing Coordinators and Special Education Department Chairs to ensure proper implementation of the 2009-2010 testing periods.

### **RECOMMENDATION**

The VDOE Review Team recommends that RCPS examine the matrices attached to this report and review specifically the 35 students with disabilities who were not affected by schedule changes, but were enrolled in EOC classes and never tested during the Spring 2008 and 2009 reporting periods. We further recommend that if RCPS identifies testing violations with this group of students that RCPS develop and implement corrective measures as needed.

Additionally, and as noted in the Supplemental Section of this report, the VDOE team was provided information that suggests that schedule changes may have also occurred for students with disabilities in the 2006-2007 school year. Therefore, VDOE recommends

that RCPS examine the SOL assessment data for that school year, and develop and implement corrective measures as needed.

**The Virginia Department of Education will:**

1. Monitor the implementation of this Corrective Action Plan.
2. Provide any training and/or technical assistance upon request by RCPS for its administrators and staffs on the federal and state laws and regulations governing special education relative to SOL testing requirements, as well as any other special education matters.
3. Review RCPS's administration of the 2009-2010 SOL Assessment program at William Fleming High School for students with disabilities.

This particular Corrective Action Plan will be overseen by VDOE's Office of Dispute Resolution and Administrative Services. RCPS is currently working on an action plan to submit to VDOE's Division of Student Assessment and School Improvement relative to the testing irregularities that occurred with the general education students.

Questions regarding this Executive Summary or the Report should be directed to:

Dr. Judith A. Douglas

Director, Dispute Resolution and Administrative Services

Division of Special Education and Student Services

Virginia Department of Education

Phone: 804-225-2013

E-mail: [judy.douglas@doe.virginia.gov](mailto:judy.douglas@doe.virginia.gov)

## PURPOSE

On May 8, 2009, the Virginia Department of Education (VDOE) received a phone complaint from a teacher alleging that testing irregularities occurred with the 2009 Spring Standards of Learning (SOL) Math assessments at William Fleming High School (WFHS) in Roanoke City Public Schools (RCPS). Specifically, the complainant asserted that selected students' schedules were changed for Algebra 1 so that they were reassigned to an Algebra-Part 1 class, a course for which there is no SOL assessment. These students, however, remained in the same class during the same class periods. VDOE then received an additional call from another teacher reporting that changes in students' schedules had occurred in classes, other than Math, resulting in those students not taking the SOL tests for which they had been enrolled previously for end-of-course (EOC) testing.

VDOE staff in the Division of Student Assessment and School Improvement contacted Ms. Jean Pollock, RCPS Director of Research, Testing and Evaluation. Dr. Rita Bishop, RCPS Superintendent, and Ms. Pollock then advised VDOE that their initial review of data for WFHS and Patrick Henry High School identified irregularities for WFHS that were much more significant than originally reported to VDOE.

RCPS' initial review found that:

- Twenty-two (22) students' schedules were changed on May 1, 2009, removing them from the rolls of Algebra 1 and placing their names on the rolls for Algebra 1-Part 1, effectively removing them from EOC Algebra 1 testing. Two students with disabilities were included in this group. RCPS' initial data further revealed that the two students with disabilities had already taken and passed the Algebra I-Part 1 in a previous year.
- By May 19, 2009, the affected students were moved back to their original Algebra 1 class roll.
- Course schedules had been changed for general education and special education students in both Spring 2008 and Spring 2009 in all four core subject areas such that students were removed from classes with an associated end-of-course SOL test and reassigned to classes without associated test.
- The diploma status for several students with disabilities who did not take the SOL tests was adversely impacted.
- No discrepancies were identified for Patrick Henry High School.

VDOE's Assistant Superintendents for Student Assessment and School Improvement, and Special Education and Student Services agreed with Dr. Bishop that VDOE would

initiate an investigation that included an on-site review of RCPS. A VDOE Review Team of three VDOE staff was selected:

Dr. Judith Douglas, Director, Dispute Resolution and Administrative Services  
Division of Special Education and Student Services  
VDOE Review Team Coordinator

Mr. Henry Millward, Complaints Specialist  
Division of Special Education and Student Services

Ms. Melissa Smith, Coordinator of Administrative Services  
Division of Special Education and Student Services

The purpose of VDOE's investigation was to determine the validity of the allegations and assist Roanoke City Public Schools with any required corrective action, as well as provide technical assistance to remedy any founded deficiencies.

## **STATUTORY AND REGULATORY AUTHORITIES**

- Code of Virginia*, § 22.1-253.13:3 D. The Virginia Department of Education may initiate or caused to be initiated, on behalf of the Virginia Board of Education, an investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.
- Individuals with Disabilities Education Improvement Act (IDEA)*, P.L. 108-446, 20 U.S.C. § 1412 (a)(16)(A). All children with disabilities are included in all general State and district wide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Act of 1965, with appropriate accommodations and alternative assessments where necessary and as indicated in their respective individualized education plans.
- No Child Left Behind Act (NCLB)* regulations, 34 C.F.R. § 200.6 (a)(1).
  - A State's academic assessment system must provide for the participation of all students in the grades assessed.
  - A student's IEP team must determine the appropriate accommodations that are necessary to measure the student's academic achievement relative to the State's academic content and achievement standards for the grade in which the student is enrolled.

(see also 34 C.F.R. § 200.1 (b)(2), (b)(3), and (c)).

As noted in the next section of this report, the focus of VDOE's review was on the IDEA-eligible students. It is noted, however, that the 504-qualified students are included in NCLB's regulatory requirements:

- A student's Section 504 team must determine which accommodations are necessary to measure academic achievement of a student related to the State's academic content and achievement standards for the grades in which the student is enrolled.
- *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8 VAC 20-131-30 E and F.

Each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction. Participation in the Virginia assessment program by students with disabilities shall be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan.

## **SCOPE OF THE REVIEW**

VDOE determined that the target student population would be IDEA-eligible students, grades 9-12, who attend(ed) William Fleming High Schools during the school years of 2007-2008 and 2008-2009.<sup>2</sup>

An initial review of the complaint issues disclosed that both general education and special education students were implicated by the testing irregularities at William Fleming High School for the cited reporting years. When they first learned of these irregularities, Dr. Bishop and her staff initiated immediate action to ensure that all WFHS students who were entitled to be tested during the 2008-09 school year were tested. VDOE's staff in the Division of Student Assessment and School Improvement were satisfied with RCPS initiative.<sup>3</sup> Therefore, it was unnecessary to include the general education students in VDOE's target student population for the purposes of this investigation. Since the reported testing irregularities have additional implications for the IDEA-eligible students, VDOE's Division of Special Education and Student Services determined that the target population would be the special education students.

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<sup>2</sup> Based on reviewing SOL Testing data relative to Patrick Henry High School, the VDOE Review Team agreed with RCPS that the testing irregularities were unique to WFHS and thus, it was not necessary to include PHHS in this investigation.

<sup>3</sup> RCPS is developing a corrective action plan to submit to VDOE's Division of Student Assessment and School Improvement to ensure continuing adherence to the testing requirements.

The VDOE Review Team established the following framework of questions to further define the scope of its review for the 2007-08 and 2008-09 school years:

1. Were selected students with disabilities at WFHS targeted to not take one or more of the SOL assessments?
2. Were any school division and/or building-level administrators and/or teachers complicit in limiting the participation of students with disabilities in the SOL assessments at WFHS for the cited school years?
3. Were administrators and teachers at WFHS properly and sufficiently trained on testing requirements?
4. Did administrators and/or teachers at WFHS follow proper procedures in reporting the alleged testing irregularities?

## **METHODOLOGY**

The Virginia Department of Education Review Team conducted an on-site visit in Roanoke City Public Schools on June 4 and 5, 2009.

### **A. Pre-site activities**

- Reviewed RCPS' chronology of events related to the complaint allegations (compiled by Dr. Bishop and central office staff).
- Reviewed the written statements of WFHS administrators and teachers who had provided them to Dr. Bishop and staff during RCPS' internal investigation.
  - ✓ Susan Willis, Principal
  - ✓ Michael Hill, Assistant Principal
  - ✓ William Downie, Assistant Principal
  - ✓ Keith Smith, Guidance Coordinator & School Testing Coordinator
  - ✓ Jennifer Hamlen, Mathematics Department Chair
  - ✓ Crystal Harman, Mathematics Teacher
  - ✓ Christine Lester, Mathematics Teacher
  - ✓ Nathan Hansard, Mathematics Teacher
  - ✓ Jennifer McMains, Special Education-English Teacher
  - ✓ Scott Larimer, Mathematics Teacher
  - ✓ Corey Allder, ELL Teacher

- Selected the names of the administrators and teachers to be interviewed.
- Requested and reviewed selected school-based data and records pertinent to the investigation.
- Requested and reviewed RCPS' profile of William Fleming High School that included information relevant to the:
  - ✓ total number of students
  - ✓ total number of IDEA-eligible students
  - ✓ total number of 504-qualified students
  - ✓ other enrollment data
  - ✓ 2007-2008 Adequate Yearly Progress (AYP) Report
- Developed schedule for the on-site activities.

## **B. On-site Activities**

### **□ Interviews<sup>4</sup>**

- Interviewed and selected RCPS central office administrators.
  - ✓ Jean Pollock, Director of Research, Testing, and Evaluation for 6 years (she served as interim Division Director of Testing in the Fall of 2004, and then assumed full responsibilities in her current position beginning with the 2005-06 school year). She reports to Dr. Vella Wright, Assistant Superintendent for Teaching and Learning.
  - ✓ Phyllis Cundiff, Director of Exceptional Student Education for 6 years. She reports to Dr. Vella Wright.
- Interviewed selected WFHS administrators and teachers:
  - ✓ Susan Willis, Principal for 4 years; formerly Division Director of Testing (DDOT) for Roanoke City Public Schools. She reports to Dr. Rita Bishop.
  - ✓ William Downie, Assistant Principal for 8 years. He reports to Ms. Willis.
  - ✓ Michael Hill, Assistant Principal for 1 year. He reports to Ms. Willis.

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<sup>4</sup> Appendix A contains the list of questions that the VDOE Review Team used during the interviews.

- ✓ Keith Smith, Guidance Coordinator and School Testing Coordinator for 2 years. He reports to Ms. Willis.
- ✓ Jennifer Hamlen, Mathematics Department Chair for 4 years. She reports to Ms. Willis.
- ✓ Brenda Hairston, Special Education Department Chair for 4 years. She reports to Mr. Downie and Ms. Cundiff.
- ✓ Christine Lester, Mathematics Teacher for 3 years. She reports to Ms. Hamlen.
- ✓ Amanda Rupe, Special Education and General Education Teacher for 3 years. She reports to Ms. Hairston.
- ✓ Jennifer McMains, Special Education and English Teacher for 5 years. She reports to Mr. Downie and Ms. Hairston.
- ✓ Crystal Harman, Mathematics Teacher for 1 year. She reports to Mr. Hill.

At VDOE's direction, Dr. Vella Wright contacted each of the above referenced individuals to schedule their interviews, and to advise them that: (a) the interviews would be audio recorded; and (b) each individual could be accompanied by legal counsel or representative. Each VDOE Team Reviewer began the interview asking the individual whether s/he had been advised that the interview would be audio recorded and of their right to counsel/representative to attend the interview with them. Each of the above referenced individuals acknowledged these points and elected to attend without counsel or representative.<sup>5</sup>

#### **Analysis of Records and Data**

The VDOE Review Team reviewed the following records and analyzed the following data:

- The 2007-2008 IEPs for WFHS students with disabilities.

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<sup>5</sup> Ms. Susan Willis, WFHS principal, stated to the VDOE Team Reviewer that she had been further told when the interview was scheduled that it was "expected that I not bring anyone". VDOE Team Review Coordinator examined Dr. Wright's "script" that she used when scheduling the interviews. The script contained the precise information VDOE had instructed be used in scheduling the interviews, including the interviewee's right to be accompanied by counsel/representative during the interview. Dr. Wright's assistant, who was present when Dr. Wright contacted Ms. Willis, verified that Dr. Wright had not deviated from the script. Ms. Willis raised no objection to continuing with the interview.

- The 2008-2009 IEPs for WFHS students with disabilities.
- Attendance records for these students covering the cited testing periods.
- Course enrollment data for Algebra 1, Algebra 2, Geometry, English 11, Earth Science, Biology, Chemistry, World History 1, World History 2, World Geography, US/VA History for all special education students enrolled in those courses during the cited testing periods.
- The materials that RCPS Director of Research, Testing and Evaluation uses for training school personnel on the testing requirements.
- Record information provided by Susan Willis relative to students' participation in the SOL assessment program.<sup>6</sup>
- Copies of RCPS' summaries of phone interviews with selected Algebra 1 students.<sup>7</sup>
- Data specific to the disposition of testing for students in the following EOC classes:
  - ✓ Algebra 1 2008-09, Crystal Harman's class
  - ✓ Geometry 2007-08, Christine Lester's class
  - ✓ English 11 2007-08, Jennifer McMains' class
  - ✓ 504 Testing Irregularities, 2005-06 at WFHS<sup>8</sup>
- File information provided by Phyllis Cundiff regarding special education compliance issues.

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<sup>6</sup> Ms. Willis submitted this information following her interview with the VDOE Team interviewer. VDOE had not requested this information of her; the team noted that the information was part of the records provided by RCPS during the team's first day of its on-site visit. Ms. Willis also provided a signed statement that Mr. Hill had provided her prior to his RCPS interview. This statement had not been part of RCPS' initial submission of records to VDOE, but was included in RCPS' file information provided the team during its first review day.

<sup>7</sup> For reasons of student confidentiality and compliance with privacy mandates under the *Family and Education Protection Act*, VDOE will not list or release the names of these students.

<sup>8</sup> As noted previously, VDOE's focus for this investigation did not include 504-qualified students. However, and for reasons that will be noted later, RCPS provided information to the VDOE Review Team relative to systemic concerns that arose in the 2005-06 school year.

**Summary Profile of William Fleming High School**

The following summarizes the enrollment data and 2007-2008 AYP Report for William Fleming High School.

- Documentation shows that WFHS was fully accredited, and meeting the benchmarks in all four (4) categories of English, Math, History, and Science.

The total number of students:

2007-2008: 1,590

2008-2009: 1,612

The total number of IDEA-eligible students<sup>9</sup>

9-30-07	12-1-07	9-30-08	12-1-08
190	134	184	155

Other enrollment data

	2007-2008	2008-2009
504 Students	18	15
Homeless Students	9	7
Economic Disadvantaged Students	1,087	1,122
LEP Students	88	124

**Additional**

As part of RCPS' internal investigation, on May 17, 2009, Ms. Pollock contacted 10 Algebra 1 students. These students' schedules had been changed to move them from Algebra 1 to Algebra 1- part 1. The VDOE Review Team examined the phone accounts

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<sup>9</sup> The change in numbers at mid-year takes into account revisions to a child's eligibility status following re-evaluations or triennials.

of 4 of these students who were available when Ms. Pollock called them. Ms. Pollock advised them that their schedules had been readjusted to ensure their participation in the SOL test. The VDOE Review Team did not find it necessary to re-interview these students.

## **ANALYSIS AND FINDINGS**

### **Introductory Findings:**

- 1) The VDOE Review Team verified the accuracy of RCPS' data and other file information provided by RCPS from the school division's electronic data bases in response to VDOE's request for this information. The team's verification process involved a three-part filter review of cross-checking course enrollments, attendance records, IEPs, test participation records in Pearson Access<sup>10</sup>.
- 2) All administrators and teachers who were interviewed by the VDOE Review Team fully understand the regulatory mandates requiring students with disabilities to participate in statewide and division-wide assessment programs.
- 3) Following interviews and review of all data and information related to this investigation, the VDOE Review Team concludes that RCPS central office administrators had no role in the violations created at William Fleming High School specific to the testing of students with disabilities during the Spring 2008 and 2009 testing periods.
- 4) The VDOE Review Team further concludes that building-level personnel involved in the SOL testing program were properly trained. RCPS' Director of Research, Testing and Evaluation and her staff maintain an exemplary training program and materials. The School Testing Coordinator for William Fleming High School provided the testing proctors and examiners appropriate training for the Spring 2008 and 2009 testing periods.
- 5) For reasons that will become apparent in the next section, Roanoke City Public Schools would benefit from developing and implementing a system of Self-Monitoring (Checks and Balances). The absence of a division-wide tracking system of the SOL Assessment program restricted RCPS' oversight of the testing program at William Fleming High School.

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<sup>10</sup> Pearson Access is a web based system used by VDOE and Virginia school divisions for the administration and management of Virginia's SOL Testing Program.

### **Findings Specific to the Complaint Issue**

**For reasons detailed below, the Virginia Department of Education’s Review Team concludes that:**

- ☐ Roanoke City Public Schools incurred six (6) areas of violations under the federal and state laws and regulations governing special education.<sup>11</sup>**
- ☐ Students with disabilities who attend(ed) William Fleming High School were selected to have their course schedules changed for reasons that were not in the best interests of the students’ educational needs or consistent with regulatory requirements. Thus, these students were denied access to the general curriculum during the 2007-2008 and 2008-2009 school years.**
  - a. 31 students’ course schedules were manipulated for the purpose of influencing WFHS’ pass rates.<sup>12</sup>**
  - b. The diploma status of 22 students was adversely impacted by the manipulation of their course schedules.**
  - c. The administrators at William Fleming High School in the specific positions of principal, assistant principals (2), school testing coordinator, and special education department chair are responsible for the egregious violations that occurred in this situation. They were fully aware of the regulatory requirements and yet, proceeded to change (or allowed to be changed) students’ schedules in close proximity to the testing windows. Evidence documents that the principal directed their course of action.**
  - d. The other administrators and teachers, targeted to be interviewed for this investigation, were not complicit or culpable in this violation.**
  - e. The violations that occurred in the implementation of the Spring 2008 and Spring 2009 SOL Assessments are specific to William Fleming High School and not indicative of a systemic division-wide issue.**

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<sup>11</sup> The specific citations and description of the requirements are detailed in the “Findings” section of this report.

<sup>12</sup> Please recall that the manipulation of students’ schedules included general education students, as well as special education students. As noted in the introduction section of this report, VDOE’s investigation focused only on students with disabilities.

## ANALYSIS OF INTERVIEWS

### **Review of the Spring 2008 Testing Period**

- During her interview with the VDOE Review Team member, Principal Willis repeatedly and emphatically stated that she had no knowledge of any manipulation of students' schedules during the 2007-08 school year. In fact, she clearly asserted that her interview with the VDOE Review Team member was the first time that the issue had been brought to her attention.
- When interviewed, STC Smith was aware that schedules had been changed but did not question it, assuming that revisions to the students' IEPs or remedying attendance concerns prompted the schedule changes.
- During her interview, Ms. Hairston said that she had told Ms. Willis and teachers that students with disabilities had to take the EOC tests unless data supported that the SOL test was not appropriate for the student and changes were made to the student's IEP.
- When interviewed, Mr. Downie said that Ms. Willis directed him to take from Ms. Hairston the list of those students who had passed the 8<sup>th</sup> grade SOL and move them from their English 11 course to Reading 11.

Interviews and the written accounts of the teachers present an even more alarming picture.

- The teachers first learned of the schedule changes prior to the testing period when they accessed the Teachers Access Center, an electronic system for taking attendance. They immediately noticed that the selected students were not moved out of their classes but were assigned to a different course code, indicating that the students would not take the SOL assessment(s).
- Knowing that a schedule change related to SOL assessments, independent of an IEP team and written parental consent, is a violation of testing and IDEA requirements, the teachers questioned several administrators. Teacher McMains questioned Ms. Hairston who reportedly said that Ms. Willis wanted the schedules changed to impact the school's pass rates; specifically, because the students could not have the read-aloud accommodation.
- Teacher Lester stated that mostly her special education students were moved on the rolls from Geometry to Math classes; e.g., Math 9. In both of these instances, the students remained in the Geometry class.
- Ms. Lester questioned Math Department Chair Hamlen who when interviewed said that she agreed with Ms. Lester's concern and spoke with Ms. Willis who reportedly

dismissed the issue, indicating that there would be no further discussion on the matter. Ms. Hamlen further said that when she told Ms. Willis that Ms. Lester had a particular student in mind, who should be re-enrolled, Ms. Willis responded, “Not without a guarantee”. Ms. Hamlen repeatedly told the VDOE interviewer that “Ms. Willis was aware of the situation (scheduled changes) in Ms. Lester’s room.” Ms. Hamlen also spoke with AP Downie who reportedly said that the issue was simply about course numbers.

- Teacher McMains’ account even more significantly underscores the egregious impact this action had on students with disabilities. Ms. McMains reported that students with disabilities on a Modified Standard Diploma track, who had passed the 8th grade SOL or were on a special diploma track, were moved from English 11 to Reading 11 (which does not have an EOC requirement). The students who remained in English 11 and took the EOC were students who were on the Modified Standard Diploma track and who had not yet passed the 8<sup>th</sup> grade SOL. Removing the first group eliminated the risk of the students failing the SOL, whereas the latter group needed the SOL to get the Modified Standard diploma. Ms. McMains estimated that schedule changes were made for 13 of her 17 students.

### **Review of the 2009 Spring Testing Period**

- Administrators Willis, Smith, Downie and Hill all stated that they were not aware of any issue related to the manipulation of student schedules until they were notified by central office on or about May 15, 2009. Principal Willis said that on May 15, prior to central office contacting her, one student with a disability questioned her regarding his not being able to take the Algebra 1 SOL. Ms. Willis stated that she immediately corrected the situation by directing Mr. Downie to ensure that the student was re-enrolled in the EOC course. She further stated that she spoke then with AP Hill and when he noted that other students were also affected, she “informed him to move all students back to their original schedules. I realized Mr. Downie and Mr. Hill did not thoroughly review each student’s attendance and academic records prior to making schedule adjustments.”<sup>13</sup>
- Ms. Willis further states in her account that Mr. Hill had “...approached me with attendance concerns for students in Ms. Harman’s Algebra classes. I instructed him to meet with Mr. Downie and Keith Smith to review the status of the students. Mr. Hill and Mr. Downie met regarding the students without my assistance. I was not informed of student names or academic status.”

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<sup>13</sup> When interviewed by the VDOE Review Team member, Ms. Willis was adamant that she took immediate action on May 15 to correct this issue by directing APs Downie and Hill to reverse the schedule changes. The database, however, shows that the students did not have Algebra 1 added back to their schedules until May 19. The data actually shows that a WFHC counselor (not STC Smith) added the Algebra 1 course back to the students’ schedules.

- According to her written account, Ms. Willis requested Mr. Hill provide her with a written statement regarding this matter. Mr. Hill's signed statement notes, "Mr. Downie and I met to discuss students without your assistance. Student lists were never provided to you."
- Mr. Hill provided also a written, signed statement to Dr. Wright and Ms. Pollock during RCPS' internal investigation. In that statement, Mr. Hill notes that Ms. Willis had told him to meet with Mr. Downie and compile a list of students who were having difficulties with attendance, grades, and discipline, and then move the students into Algebra 1- part 1, while remaining in Algebra 1 with their teacher. Mr. Hill stated in his written account, "This was a directive of the principal. To move them." Mr. Downie confirmed that he also had received this same directive.
- Ms. Harman stated that Mr. Hill informed her on May 15, 2009 that the students had been moved back on the roster of Algebra 1 and would be included in the SOL testing. Ms. Harman reported that Mr. Hill said, "These students better pass".
- According to STC Smith's signed statement, Ms. Willis told him that "some students would be moved to Algebra 1, Part 1 and Mr. Downie was moving them." He could not recall the exact date of the conversation but that it was on or around the opening of the testing window, which was April 21, 2009. When interviewed by the VDOE interviewer, Mr. Smith said that Mr. Downie and Mr. Hill gave him the list to initiate the changes. Later in the interview, Mr. Smith said that he could "not recall who gave me the list." Mr. Smith called the VDOE Review Team and spoke with Dr. Douglas on June 8, 2009 to provide an additional statement. He stated that he had not uploaded the selected students whose schedules had been changed until he received the list on May 15, 2009.

These same administrators (Willis, Smith, Downie, and Hill) do not dispute that selected students' schedules were changed prior to the testing window (both general education and special education students). They maintain, however, that the purpose was to address attendance concerns, even though Mr. Downie included grades and discipline as identifying factors. Sequentially, AP Hill identified the students; AP Downie made the schedule changes; STC Smith removed the students from the testing session. As noted above, STC Smith later said that he had not uploaded the names of the students until he received the list on May 15, 2009. However, STC Smith said that he never questioned any of these schedule changes, either in the previous year or this school year. He assumed the changes were prompted by IEP revisions or "elimination of the course(s)."

- As with the previous year, the teachers learned of the changes during the Spring 2009 testing period when they logged on to the TAC. Again, the teachers noted that they immediately saw that selected students had been moved from their rolls but remained in their classes.

- Teacher Rupe said that schedule changes had occurred with her students but it did not impact her students participating in the SOLs. She said that in response to Ms. Willis asking her to identify the diploma types for her special education students, she provided Ms. Willis and Mr. Smith this list.
- Ms. McMains said that Ms. Hairston “pointedly asked” and questioned teachers as to which students had to take the EOC tests and their diploma status. She further noted that up until days before the testing period, Ms. Hairston was encouraging them to get IEPs revised to indicate that the students were not to take the SOL, even though the student was in the EOC class.<sup>14</sup>
- Ms. Harman said that when she questioned Mr. Hill, he responded by saying that “we’re trying something new”. When she asked him if these students would be taking the Algebra 1 SOL test, she was told ‘no’.
- Teacher Lester said during her interview by central office administrators that she asked about her special education students being placed on a “special roll” and “no one told me why”.
- Ms. Hamlen noted that she did not believe anything could be done, since she had questioned the practice last year and nothing happened to help the students. When it was evident that Ms. Harman’s Algebra 1 students were affected this year, Ms. Hamlen thought that there was no remedy for the situation.

Relative to Ms. Hamlen’s perspective of not seeing where anything could be done to protect the entitlement of the students, members of the VDOE team asked the teachers and Ms. Hamlen, as Math Department Chair, why they did not approach central office or VDOE. This was of particular interest to the team as Ms. Willis told the interviewer of her “open door policy” wherein she has a specific date and time when anyone may come visit her with problems, concerns or issues. In summary, the faculty members are paralyzed from fear of the principal’s retribution. They noted:

- “We live in an atmosphere of fear and in jeopardy of career retaliation.”
- “We didn’t get anywhere last year when we questioned it; what was going to change this year?”
- One of the teachers had witnessed Ms. Willis reprimand (“dress down”) a teacher in front of a student and noted at the time, “I didn’t want to be on the receiving end of that”, referring to the language and tone of Ms. Willis’ statements to the teacher.

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<sup>14</sup> The team’s review of the IEPs did not identify revisions to these students’ IEPs.

- A teacher noted reporting the matter to VDOE this year because her contract was not being renewed, and she “had nothing to lose”.
- Mr. Downie noted that he would not question Ms. Willis; that she fired “2-3” assistant principals since she came to WFHS, so “I do what I have to do”.
- STC Smith said that he “follows the directives” of Ms. Willis; “I am a ‘yes-no’ employee”. He also noted that because of Ms. Willis’ previous background of being a DDOT, she “knew what needed to be done”.

**DATA REVIEW – Students with disabilities**

	SCHOOL YEAR		TOTAL
	2007-2008	2008-2009	
Total # of Students With Schedule Changes	24	7	31
# of Modified Diploma Students With Schedule Changes	18	4	22
# of Modified Diploma Students With Schedule Change That were Affected in Previous Year		2	2
Total # of Students w/o Schedule Changes But Enrolled in EOC SOL Courses and Were Not Tested	17	18	35
# of Modified Diploma Students Enrolled in EOC SOL Course But Not Tested	8	6	14
# of Modified Diploma Students w/o Schedule Changes But Enrolled in EOC SOL Courses and Were Not Tested		2	2

LEGEND
EOC = End of Course

WILLIAM FLEMING HIGH SCHOOL  
STUDENTS WITH DISABILITIES NOT TAKING SOLs  
SY 2007-2008

SUBJECT	ENROLLED	PRESENT ON TEST DATE	PRESENT ON MAKE UP DATE	ABSENT BOTH DATES
<b><u>MATH</u></b>				
ALGEBRA 1	6	5	1	0
ALGEBRA 2	0	0	0	0
GEOM	4	3	0	0
GR 8 MATH*	NA	2	0	0
<b><u>SCIENCE</u></b>				
EARTH SCIENCE	5	4	1	0
BIOLOGY	7	4	0	3
CHEMISTRY	0	0	0	0
<b><u>SOCIAL STUDIES</u></b>				
WORLD HISTORY 1	5	2	1	2
WORL HISTORY 2	4	3	1	0
VA/US HISTORY	6	2	1	3
<b><u>ENGLISH</u></b>				
ENGLISH 11	20	18	0	0
GR 8 READING*	NA	1	0	0
<b><u>DIPLOMA STATUS</u></b>				
MODIFIED DIPLOMA	26			
SPECIAL DIPLOMA	6			
STANDARD	9			

\* Students whose IEP indicated they were working toward a Modified Standard Diploma and their IEP directed that these tests were needed but the record does not reflect that they took the test.

<b>COURSE ENROLLMENT AND TEST PARTICIPATION</b> <b>ROANOKE CITY PUBLIC SCHOOLS</b> <b>SCHOOL YEAR 2007-2008</b> <b>APRIL 14, 2008 - JUNE 13, 2008</b> <b>WILLIAM FLEMING HIGH SCHOOL</b> <b>STUDENTS WITH DISABILITIES</b>																											
ID NUMBER		COURSE ENROLLMENT							TEST PARTICIPATION																		
		MATH	ENG	SCIENCE	SOCIAL STUDIES			MATH	ENGLISH			SCIENCE	SOCIAL STUDIES														
		DIPLOMA	ALGEBRA 1	ALGEBRA 2	GEOMETRY	ENGLISH 11	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	US/VA HISTORY	ALGEBRA 1	ALGEBRA 2	GEOMETRY	GRADE 8	ENGLISH 11 READING	ENGLISH 11 WRITING	GRADE 8 READING	GRADE 8 WRITING	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	US/VA HISTORY	
	S				X							X					X									X	
	M			X	X																						
	M				X																						
	S				X							X	X									X	X				
	M			X	X											X											X
	S				X		X									X	X										
	SP											X														X	
	S			X	X	X						X	X			X	X					X	X				X
	M					X				X															X		
	S			X	X										X												
	S	X					X	X			X			X	X							X	X				
	M				X		X			X						X									X		
	M	X								X												X	X				
	SP				X																						
	S	X					X				X											X			X		
	SP						X																			X	
	M			X	X									X								X		X			X
	M	X					X																X		X		
	M	X																				X	X				X
	M	X																				X	X				X
	M				X														X								X
	M				X		X															X					X

ID NUMBER	COURSE ENROLLMENT							TEST PARTICIPATION																		
	DIPLOMA	MATH		ENG	SCIENCE	SOCIAL STUDIES		MATH			ENGLISH			SCIENCE		SOCIAL STUDIES										
		ALGEBRA 1	ALGEBRA 2	GEOMETRY	ENGLISH 11	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	USVA HISTORY	ALGEBRA 1	ALGEBRA 2	GEOMETRY	GRADE 8	ENGLISH 11 READING	ENGLISH 11 WRITING	GRADE 8 READING	GRADE 8 WRITING	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	USVA HISTORY	
	M				X				X																	
	S						X					X											X			
	SP					X			X					X				X		X						
	M	X				X			X											X			X			
	S	X					X																			
	M					X					X														X	
	M				X							X								X	X		X		X	X
	M	X							X																	
	M				X	X										X				X	X		X			
	SP				X							X					X			X	X		X		X	
	M				X						X		X										X		X	
	M	X			X		X				X												X			
	M					X			X																	
	SP				X																			X		
	M				X		X		X			X							X				X			
	M						X		X						X								X			

 Enrolled course in which the End of Course SOL test was not taken  
 Testing was affected by schedule changes

WILLIAM FLEMING HIGH SCHOOL  
STUDENTS WITH DISABILITIES NOT TAKING SOLs  
SY 2008-2009

SUBJECT	ENROLLED	PRESENT ON TEST DATE	PRESENT ON MAKE UP DATE	ABSENT BOTH DATES
<b><u>MATH</u></b>				
ALGEBRA 1	5	4	0	1
ALGEBRA 2	1	1	0	0
GEOM	2	2	0	0
GR 8 MATH*	NA	4	0	0
<b><u>SCIENCE</u></b>				
EARTH SCIENCE	2	2	0	0
BIOLOGY	5	3	1	1
CHEMISTRY	3	3	0	0
<b><u>SOCIAL STUDIES</u></b>				
WORLD HISTORY 1	3	1	1	2
WORL HISTORY 2	6	4	1	3
VA/US HISTORY	4	4	0	13
<b><u>ENGLISH</u></b>				
ENGLISH 11	3	3	0	0
GR 8 READING*	NA	2	0	0
<b><u>DIPLOMA STATUS</u></b>				
MODIFIED DIPLOMA	10			
SPECIAL DIPLOMA	1			
STANDARD	14			

\* Students whose IEP indicated they were working toward a Modified Standard Diploma and their IEP directed that these tests were needed but the record does not reflect that they took the test.



**The VDOE Review Team finds that Roanoke City Public Schools has violated the following federal and state laws and regulations governing special education:**

- Code of Virginia, 22.1-214; 8 VAC 20-80-40 B; 34 C.F.R. § 300.2*  
Each local school division shall ensure that all children with disabilities, aged two to 21, inclusive, residing in that school division have a right to a free appropriate public education.
- 8 VAC 20-80-62 A; 34 C.F.R. §300.112  
The school division shall ensure that an IEP is implemented for each student served by that school division.
- 8 VAC 20-80-62 B.7; 34 C.F.R. § 300.323  
The school division must provide special education and related services to a student with a disability in accordance with the student's IEP.
- 8 VAC 20-80-62 B.4; 34 C.F.R. § 300.324  
The school division must conduct an IEP team meeting to revise the IEP of a student with a disability.
- 8 VAC 20-80-62 F; 34 C.F.R. § 300.324; *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, 8 VAC 20-131-30 E, F  
The IEP team is responsible for developing the content of the student's IEP including the student's right to access the general curriculum and participation in the state's assessment program and identifying the student's diploma track.
- 8 VAC 20-80-70 E.1.c  
The school division must obtain parental consent to any revision in the student's IEP.

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**SUPPLEMENTAL**

During the VDOE Review Team's investigation, RCPS provided the team with information that suggested that there was a systemic concern about the leadership at William Fleming High School. Specifically, the team reviewed matters related to:

- Other special education requirements: pre-determining placements independent of the IEP team process; failing to implement students' IEPs; and special education

teachers being assigned non-special education responsibilities, even though the teachers were funded under federal monies.

- Possible issues related to SOL testing in 2005-2006.

Both of these areas were outside the scope of this review and therefore, not addressed. In the team's review of these matters with Dr. Bishop, Dr. Wright, and Ms. Cundiff, however, we were satisfied that the special education issues have been properly addressed and resolved before the end of this school year. We are providing this information to VDOE's Office of Federal Monitoring Review to be included in their follow up process to RCPS' April 2009 monitoring review.

We are unable to process the SOL testing issues in 2005-2006, since they were outside the scope of VDOE's investigation and the principal parties were not provided the opportunity to respond during the team's interview process.

**VIRGINIA DEPARTMENT OF EDUCATION  
CORRECTIVE ACTION PLAN  
FOR  
ROANOKE CITY PUBLIC SCHOOLS**

The Virginia Department of Education, through its Office of Dispute Resolution and Administrative Services (ODRAS), seeks to assist Roanoke City Public Schools in correcting the deficiencies identified in this report. To that end, VDOE provides the following collaborative framework to meet this goal.

**I. Personnel**

- A. The Superintendent should take appropriate action to ensure proper implementation of requirements related to SOL assessments and federal and state laws and regulations governing special education at William Fleming High School.
- B. VDOE requests that RCPS provide ODRAS with a plan that addresses additional oversight that will be provided by RCPS' staff in the Office of Research, Testing, and Evaluation, and the Office of Exceptional Student Education to RCPS' School Testing Coordinators and Special Education Department Chairs to ensure proper implementation of the 2009-2010 testing periods.

**II. AYP/ACCREDITATION**

The VDOE verified RCPS' self-corrective measure to ensure that students were properly scheduled for the Spring 2009 SOL assessments. Nothing can be done to correct the deficiencies related to the Spring 2008 testing period, since the school report card was issued in September 2008.

**III. Remedial Student Action**

To address the needs of the 22 students with disabilities identified in this report whose diploma status was affected, VDOE requests that:

- A. RCPS will notify in writing the parents of those students (or adult students) identified in this report who graduated in 2008 or 2009 with a Modified Standard Diploma that:
  - an error in accounting for students eligible to take the Spring 2008 SOL Assessments entitles their child to take the assessment(s) identified in this report and,

- RCPS will provide sufficient tutorial and remedial assistance as needed to help the student in preparing for the assessment(s), if the student elects to take the identified assessment(s) to obtain a Standard Diploma or Advanced Studies Diploma.<sup>15</sup>

B. For similarly situated students who have not yet graduated, review each student's educational file and determine what 2007-08 SOL assessments were not taken, but the student remained in the EOC class, VDOE requests that:

- RCPS will notify in writing the parents of these students that an error in accounting for students eligible to take the Spring 2008 SOL Assessments entitled their child to take the assessment(s) RCPS has identified, and
- RCPS will provide sufficient tutorial and remedial assistance as needed to help the student in preparing for the assessment(s).

#### **IV. Self-Monitoring (Checks and Balances)**

VDOE requests that RCPS develop a mechanism for tracking the participation of students with disabilities and general education students in the RCPS and statewide testing programs.

- The mechanism must include tracking students in SOL assessments from data and information obtained from the students' course enrollment data, IEP/504 Plans, attendance records, and student test records.

#### **RECOMMENDATION**

VDOE recommends that RCPS examine the matrices attached to this report and review specifically the 35 students with disabilities who were not affected by schedule changes, but were enrolled in EOC classes and never tested during the Spring 2008 and 2009 SOL testing periods. We further recommend that RCPS develop and implement corrective measures as needed.

Additionally, and as noted in the Supplemental Section of this report, the VDOE team was provided information that suggests that schedule changes may have also occurred for students with disabilities in the 2006-2007 school year. Therefore, VDOE recommends

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<sup>15</sup> This entitlement ends when the student turns 21 on or before September 30.

that RCPS examine the SOL assessment data for that school year, and develop and implement corrective measures as needed.

## **CONCLUSION**

The submission date for the above plans, documents, and information is 30 calendar days from the school division's receipt of this report. All materials are to be submitted to VDOE's Office of Dispute Resolution and Administrative Services, Dr. Judy Douglas, Director.

Please know that VDOE is available for technical assistance on any of these matters. Any questions regarding this report of the Corrective Action Plan should be directed to Dr. Douglas.

*Code of Virginia, § 2.2-3705.3, Exemptions to requests under the Freedom of Information Act*

12. Records furnished to or prepared by the Board of Education pursuant to subsection D of § 22.1-253.13:3 in connection with the review of investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests. However, this section shall not prohibit the disclosure of records to (1) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board.

## **APPENDIX A**

## VDOE INTERVIEW QUESTIONS

Roanoke City Public Schools  
June 4-5, 2009

Interviewer: \_\_\_\_\_

Date: \_\_\_\_\_

Person being interviewed: \_\_\_\_\_

Introduction: I am \_\_\_\_\_. The Virginia Department of Education received an allegation that testing irregularities occurred in the 2007-08 and 2008-09 SOL assessments, involving students with disabilities. I will be asking you a series of questions in order to determine the facts surrounding these events. I will also provide you time at the end of this interview to add or clarify any information that you have shared with me, or to ask of me any questions.

Turn on the recorder Statement of introduction:

We are on the record now. My name is \_\_\_\_\_ with the Virginia Department of Education. I am interviewing \_\_\_\_\_. [If the person has counsel/representative, identify the individual.]

1. Please give us your name and position with Roanoke City Public Schools.
2. How long have you held this position?
3. Please describe briefly your responsibilities.
4. To whom do you directly report?
5. The No Child Left Behind Act and the Individuals with Disabilities Education Act mandate that students participate in state-wide and division-wide testing, unless in the case of a student with a disability, the student's IEP directs otherwise. Are you familiar with this mandate?
6. To your knowledge, how is this mandate implemented in Roanoke City Public Schools?
7. If there is any irregularity in the SOL testing given to students, both general education and special education students, how is that irregularity reported?

8. Concern has been raised that testing irregularities occurred with students with disabilities at William Fleming High School and their taking of the 2007-08 and 2008-09 SOL tests. Please tell us what you know about this issue.
9. Was there any irregularity reported?
  - a. During the testing periods in 2007-08?
  - b. During the testing period in this current school year?
10. What actions, if any, did you take once you became aware of this issue?
  - a. During the testing periods in 2007-08?
  - b. During the testing period in this current school year?
11. What training have you received on SOL assessments? Testing irregularities? Reporting testing irregularities? Describe the content of the training.
  - a. 2007-08
  - b. 2008-09
12. Are you familiar with the SOL Testing Irregularity form? If yes, who is responsible for filing this form?
13. How is Student Data uploaded into the PEMSolutions?

Additional questions will be tailored to the specific individual.

Closing

Is there any additional information you wish to offer?

Do you have any questions of me?

Thank you. We are now going off record.

Turn off the recorder.









ID NUMBER		IEP REQUIREMENT				COURSE ENROLLMENT				TEST PARTICIPATION				ATTENDANCE RECORD																	
		MATH				ENGLISH				SCIENCE			SOCIAL STUDIES			MATH				ENGLISH				SCIENCE				SOCIAL STUDIES			
DIPLOMA		ALGEBRA 1	ALGEBRA 2	GEOMETRY	GRADE 8 MATH	ENGLISH 11 READING	ENGLISH 11 WRITING	GRADR 8 READING	GRADE 8 WRITING	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	USVA HISTORY	ALGEBRA 1	ALGEBRA 2	GEOMETRY	GRADE 8	ENGLISH 11 READING	ENGLISH 11 WRITING	GRADR 8 READING	EARTH SCIENCE	BIOLOGY	CHEMISTRY	WORLD HISTORY 1	WORLD HISTORY 2	USVA HISTORY			
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# Board of Education Agenda Item

Item: \_\_\_\_\_ G. \_\_\_\_\_

Date: \_\_\_\_\_ November 17, 2009 \_\_\_\_\_

**Topic:** Final Review of Proposed *Economics and Personal Finance Standards of Learning*

**Presenter:** Dr. Linda M. Wallinger, Assistant Superintendent for Instruction

**Telephone Number:** (804) 225-2034

**E-Mail Address:** Linda.Wallinger@doe.virginia.gov

## Origin:

\_\_\_\_\_ Topic presented for information only (no board action required)

X Board review required by

X State or federal law or regulation

\_\_\_\_\_ Board of Education regulation

\_\_\_\_\_ Other: \_\_\_\_\_

X Action requested at this meeting \_\_\_ Action requested at future meeting: \_\_\_\_\_

## Previous Review/Action:

\_\_\_\_\_ No previous board review/action

X Previous review/action

date June 25, 2009

action Approved for first review and public comment

## Background Information:

During the fall of 2008, as part of the proposed revisions to the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-5 et seq.) (Standards of Accreditation or SOA), a new statewide graduation requirement in economics and personal finance was proposed for the Standard, Standard Technical, Advanced Studies, and Advanced Technical Diplomas. With that in mind, on October 23, 2008, the Board of Education approved a proposal to develop Standards of Learning for a high school course in economics and personal finance. On February 19, 2009, the Board adopted the revised SOA, which included the economics and personal finance requirement for the diplomas noted above, effective with students entering the ninth grade in 2010-2011, and also continued to permit the use of a course in personal finance to satisfy a graduation requirement in mathematics for the Modified Standard Diploma.

Following the approved timeline established for the development of the *Economics and Personal Finance Standards of Learning*, during the spring of 2009, staff at the Department of Education convened a team of educators, economics and finance experts, and other stakeholders to prepare a first draft of the proposed high school standards. These proposed standards are based on concepts introduced

in the disciplines of history and social science, finance, and accounting, thus resulting in principles important to both areas.

On June 25, 2009, the Virginia Board of Education accepted for first review the proposed *Economics and Personal Finance Standards of Learning*. Public comments were accepted from September 17 through October 30, 2009. The Department received 29 online comments. There were two speakers during the designated public comment period at the September 17, 2009, Virginia Board of Education meeting. There were no speakers at the September 22, 2009, public hearings held at Robinson Secondary School in Fairfax County and Riverlawn Elementary School in Pulaski County.

The majority of public comment related to commending the addition of this new course for graduation combined with requesting clarification of some implementation details. Additional areas of comment included:

- concern about teaching this course in ninth grade;
- clarification of qualifications for teachers of this course;
- inclusion of an option for an online course;
- clarification and consistency of economic terms and skills; and
- consideration of a balance between American and global concepts.

Changes made to the Standards of Learning as a result of public comment are indicated by underlines and strikethroughs in Attachment A. A more detailed review of public comments is contained in Attachment B.

### **Summary of Major Elements:**

In developing the proposed *Economics and Personal Finance Standards of Learning*, the members of the review team first reviewed the concepts approved in previous documents related to economics and financial literacy, information included in the economics strand of the *History and Social Science Standards of Learning*, and the competencies required for students to complete career and technical education courses in accounting and finance. A concerted effort was made to be comprehensive but succinct in outlining expectations of the course.

The resulting standards address concepts and principles that are important to economics at the macro level, but also direct attention to understanding and skills that students need to be knowledgeable consumers in many areas of daily life, such as further education, career preparation, major purchases, credit and debt, and savings and investments. The proposed standards aim to provide enough direction to ensure that students are exposed to the many aspects of informed decision making they will need for future success, and to serve as a foundation for continued study of economics and finance.

The Virginia Department of Education has developed the attached draft of the proposed *Economics and Personal Finance Standards of Learning* (Attachment A). There was one recommended change to the draft presented for first review that related to implications of an inheritance.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education adopt the proposed *Economics and Personal Finance Standards of Learning*.

**Impact on Resources:**

Following final approval of the *Economics and Personal Finance Standards of Learning*, the Department of Education will begin work on an accompanying curriculum framework. School divisions should begin thinking about staffing and materials for the course since it is a graduation requirement for students entering the ninth grade in 2010-2011.

**Timetable for Further Review/Action:**

Upon approval of the *Economics and Personal Finance Standards of Learning*, the document will be prepared in final form and the Department of Education will post it on the Department's Standards of Learning Web site.

**Proposed *Economics and Personal Finance*  
*Standards of Learning*  
November 17, 2009**

Students need a strong foundation in economics and personal finance to function effectively as consumers, workers, savers, investors, entrepreneurs, and active citizens. The *Standards of Learning for Economics and Personal Finance* present economic concepts that help students interpret the daily news, understand how interdependent the world's economies are, and anticipate how events will impact their lives. The understanding of how economies and markets operate and how the United States' economy is interconnected with the global economy, prepares students to be more effective participants in the workplace. On a personal level, students learn that their own human capital (knowledge and skills) is their most valuable resource and that investing in education and training improves the likelihood of their future economic success.

The *Standards of Learning for Economics and Personal Finance* also help students develop thinking skills that include analyzing real-world situations, economic reasoning, decision making, and problem solving. The topics of economics and personal finance teach that resources are limited; thus, people must make choices that may include substitutions or alternatives. Students practice using a set of tools for analyzing choices of all types, including those related to personal finance. Students learn the benefits of compound interest over time and that poor money management can lead to difficulty in obtaining credit. Students practice weighing costs and benefits of options when making choices about such things as careers, insurance, housing, investments, savings, automobiles and health care. Students practice these skills as they extend their understanding of the essential knowledge defined by the *Standards of Learning for Economics and Personal Finance*.

- EPF.1 The student will demonstrate knowledge of basic economic concepts and structures by
- a) describing how consumers, businesses, and government decision makers face scarcity of resources and must make trade-offs and incur opportunity costs;
  - b) explaining that choices often have long-term unintended consequences;
  - c) describing how effective decision making requires comparing the additional costs (marginal costs) and additional benefits (marginal benefits);
  - d) identifying factors of production;
  - e) comparing the characteristics of market, command, tradition, and mixed economies; and
  - f) identifying Adam Smith and describing the characteristics of a market economy.
- EPF.2 The student will demonstrate knowledge of the role of producers and consumers in a market economy by
- a) describing how consumers, producers, workers, savers, investors, and citizens respond to incentives;
  - b) explaining how businesses respond to consumer sovereignty;
  - c) identifying the role of entrepreneurs;
  - d) comparing the costs and benefits of different forms of business organization, including sole proprietorship, partnership, corporation, franchise, and cooperative;
  - e) describing how costs and revenues affect profit and supply;
  - f) describing how increased productivity affects costs of production and standard of living;

- g) examining how investment in human capital, capital goods, and technology can improve productivity;
- h) describing the effects of competition on producers, sellers, and consumers;
- i) explaining why monopolies or collusion among sellers reduces competition and raises prices; and
- j) illustrating the circular flow of economic activity.

EPF.3 The student will demonstrate knowledge of the price system by

- a) examining the laws of supply and demand and the determinants of each;
- b) explaining how the interaction of supply and demand determines equilibrium price;
- c) describing the elasticity of supply and demand; and
- d) examining the purposes and implications of price ceilings and price floors.

EPF.4 The student will demonstrate knowledge that many factors affect income by

- a) examining the market value of a worker's skills and knowledge;
- b) identifying the impact of human capital on production costs;
- c) explaining the relationship between a person's own human capital and the resulting income potential; and
- d) describing how changes in supply and demand for goods and services affect income.

EFP.5 The student will demonstrate knowledge of a nation's economic goals, including full employment, stable prices, and economic growth by

- a) describing economic indicators, such as gross domestic product (GDP), consumer price index (CPI), and unemployment rate;
- b) describing the causes and effects of unemployment, inflation, and reduced economic growth;
- c) describing the fluctuations of the business cycle; and
- d) describing strategies for achieving national economic goals.

EPF.6 The student will demonstrate knowledge of the nation's financial system by

- a) defining the role of money; and
- b) explaining the role of financial markets and financial institutions.

EPF.7 The student will demonstrate knowledge of how monetary and fiscal policy influence employment, output, and prices by

- a) describing the purpose, structure, and function of the Federal Reserve System;
- b) describing government's role in stabilizing the economy;
- c) describing sources of government revenue; and
- d) explaining balanced budget, deficit, and national debt.

EPF.8 The student will demonstrate knowledge of the role of government in a market economy by

- a) identifying goods and services provided by government to benefit society;
- b) identifying the role the government plays in providing a legal structure to protect property rights and enforce contracts;
- c) providing examples of government regulation of the market;
- d) explaining that governments redistribute wealth; and
- e) explaining that taxes and fees fund all government-provided goods and services.

- EPF.9 The student will demonstrate knowledge of the global economy by
- a) explaining that when parties trade voluntarily, all benefit;
  - b) distinguishing between absolute and comparative advantage;
  - c) distinguishing between trade deficit and trade surplus;
  - d) explaining exchange rates, and the impact of a strong dollar and weak dollar on economic decisions;
  - e) describing the costs and benefits of trade barriers;
  - f) describing the effects of international trade agreements and the World Trade Organization; and
  - g) explaining growing economic interdependence.
- EPF.10 The student will develop consumer skills by
- a) examining basic economic concepts and their relation to product prices and consumer spending;
  - b) examining the effect of supply and demand on wages and prices;
  - c) describing the steps in making a purchase decision, including the roles of marginal benefit and marginal cost;
  - d) determining the consequences of conspicuous consumption;
  - e) describing common types of contracts and the implications of each;
  - f) demonstrating comparison-shopping skills;
  - g) maintaining a filing system for personal financial records;
  - h) examining the impact of advertising and marketing on consumer demand and decision making in the global marketplace;
  - i) accessing reliable financial information from a variety of sources;
  - j) explaining consumer rights, responsibilities, remedies, and the importance of consumer vigilance; and
  - k) examining precautions for protecting identity and other personal information.
- EPF.11 The student will demonstrate knowledge of planning for living and leisure expenses by
- a) comparing the costs and benefits of purchasing vs. leasing a vehicle;
  - b) comparing the advantages and disadvantages of renting vs. purchasing a home;
  - c) describing the process of renting housing;
  - d) describing the process of purchasing a home;
  - e) calculating the cost of utilities, services, maintenance, and other housing expenses; and
  - f) evaluating discretionary spending decisions.
- EPF.12 The student will demonstrate knowledge of banking transactions by
- a) comparing the types of financial institutions;
  - b) examining how financial institutions affect personal financial planning;
  - c) evaluating services and related costs associated with personal banking;
  - d) differentiating among types of electronic monetary transactions;
  - e) preparing all forms necessary for opening and maintaining a checking and a savings account;
  - f) reconciling bank statements;
  - g) comparing costs and benefits of online and traditional banking; and
  - h) explaining how certain historical events have influenced the banking system and other financial institutions.

- EPF.13 The student will demonstrate knowledge of credit and loan functions by
- evaluating the various methods of financing a purchase;
  - analyzing credit card features and their impact on personal financial planning;
  - identifying qualifications needed to obtain credit;
  - identifying basic provisions of credit and loan laws;
  - comparing terms and conditions of various sources of consumer credit;
  - identifying strategies for effective debt management, including sources of assistance;
  - explaining the need for a good credit rating;
  - comparing the costs and conditions of secured and unsecured loans; and
  - comparing the types of voluntary and involuntary bankruptcy and the implications of each.
- EPF.14 The student will demonstrate knowledge of the role of insurance in risk management by
- evaluating insurance as a risk management strategy;
  - distinguishing among the types, costs, and benefits of insurance coverage, including automobile, life, property, health, and professional liability; and
  - explaining the roles of insurance in financial planning.
- EPF.15 The student will demonstrate knowledge of income earning and reporting by
- examining how personal choices about education, training, skill development, and careers impact earnings;
  - differentiating among sources of income;
  - calculating net pay;
  - investigating employee benefits and incentives; and
  - completing a standard W-4 form.
- EPF.16 The student will demonstrate knowledge of taxes by
- describing the types and purposes of local, state, and federal taxes and the way each is levied and used;
  - exploring how tax structures affect consumers, producers, and business owners differently;
  - computing local taxes on products and services;
  - examining potential tax deductions and credits on a tax return;
  - explaining the content and purpose of a standard W-2 form; and
  - explaining the similarities and differences between state and federal taxation of inheritances.
- ~~EPF.17 The student will demonstrate knowledge of the financial implications of an inheritance by~~
- ~~explaining the similarities and differences between state and federal taxation of inheritances; [Moved to SOL EPF. 16f]~~
  - ~~defining the terminology and options associated with inheritance; and~~
  - ~~examining types and purposes of estate planning.~~
- EPF.17 The student will demonstrate knowledge of personal financial planning by
- identifying short-term and long-term personal financial goals;
  - identifying anticipated and unanticipated income and expenses;
  - examining components and purposes of a personal net worth statement;
  - developing a personal budget;

- e) investigating the effects of government actions and economic conditions on personal financial planning; and
- f) explaining how economics influences a personal financial plan.

- EPF.18 The student will demonstrate knowledge of investment and savings planning by
- a) comparing the impact of simple interest vs. compound interest on savings;
  - b) comparing and contrasting investment and savings options;
  - c) explaining costs and income sources for investments;
  - d) examining the fundamental workings of Social Security and the system's effects on retirement planning;
  - e) contrasting alternative retirement plans; and
  - f) describing how the stock market works.

## **Summary of Comments on the Proposed *Economics and Personal Finance Standards of Learning* September 17 through October 30, 2009**

### **Summary of Comments from the Public Hearings**

There were two public hearing comments. One speaker commended the Standards of Learning and suggested that Standard EPF 17, dealing with state and federal inheritance taxes, be eliminated. The second speaker voiced support from the Virginia Chamber of Commerce for the proposed *Economics and Personal Finance Standards of Learning*.

### **Summary of Online Comments**

A total of 29 online comments were received for the proposed *Economics and Personal Finance Standards of Learning* during the online public comment period from September 17 through October 30, 2009.

### **General Comments**

- Commend adding this course as a graduation requirement.
- Review teaching this course as early as ninth grade.
- Clarify who is qualified to teach the course.
- Describe filling out tax returns, identifying factors affecting a credit rating, identifying two overdraft protection methods, and identifying the specific areas to cover in investments in more detail.
- Consider providing resources for new content.
- Consider providing professional development for teachers.
- Examine the extent of coverage of inheritance laws in Standard 17.
- Review the need for additional supply and demand graphs and different market structures.
- Consider a balance between American and global concepts.
- Evaluate the need for an online version of this course.
- Request additional emphasis on economic skills and concepts.

### **Summary of Letters and Faxes Received from September 17 through October 30, 2009**

There were no faxes received during the public comment period related to the proposed *Economics and Personal Finance Standards of Learning*. One letter was received that summarized comments made at local public hearings in Virginia Beach. Many of those comments were previously sent to the Virginia Department of Education public comment mailbox.

# Board of Education Agenda Item

Item: \_\_\_\_\_ H. \_\_\_\_\_

Date: November 17, 2009

**Topic:** Final Review of the Board of Education's 2009 Annual Report on the Condition and Needs of Public Schools in Virginia

**Presenter:** Dr. Margaret N. Roberts, Executive Assistant to the Board of Education

**Telephone:** 804/ 225-2924

**E-mail:** [Margaret.Roberts@doe.virginia.gov](mailto:Margaret.Roberts@doe.virginia.gov)

**Origin:**

Topic presented for information only (no board action required)

Board review required by

State or federal law or regulation

Board of Education regulation

Other:

Action requested at this meeting

Action requested at future meeting:

**Previous Review/Action:**

No previous board review/action

Previous review/action: First Review of the 2009 Annual Report on the Condition and Needs of Public Schools in Virginia

date: October 22, 2009

action: Approved draft for additional updates

**Background Information:** The Board of Education has submitted an annual report each year since 1971, when the requirement was initially adopted by the General Assembly. Section 22.1-18 of the *Code of Virginia* sets forth the requirement that the Board of Education shall submit an annual report on the condition and needs of the public schools in Virginia. This section of the *Code* reads as follows:

**§ 22.1-18. Report on education and standards of quality for school divisions; when submitted and effective.**

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of

quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

The *Code* requires that the annual report contain the following information: a report on the condition and needs of the public schools as determined by the Board of Education; a listing of the school divisions and the specific schools that report noncompliance with any part of the Standards of Quality (SOQ); the full text of the current SOQ; a justification for amendments; the effective date of the current SOQ; and a listing of any amendments, if any, to the SOQ being prescribed by the Board of Education.

**Summary of Major Elements:** An initial draft of the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia* was reviewed and discussed at the Board of Education's meeting on October 22, 2009. At that time, members requested two specific additions that they wished to be incorporated prior to the final review and adoption of the report.

Attached is a revised draft for the Board's final review. All data in the report have been verified and the information requested by Board members has been added. Also, a description and explanation of the Board's final actions regarding the Standards of Quality have been added to the text.

The contents of the report include the following major headings:

- Summary of the Academic Progress of Virginia's Students
- Critical Areas of Need for the Public Schools in Virginia
- The Board of Education's Plan of Action
- The Board's Performance Measures: Addressing the Needs of Public Schools
- Compliance with the Requirements of the Standards of Quality
- Compliance with the Standards of Accreditation
- Review of the Standards of Quality

The report also contains appendices directly addressing the information specified in § 22.1-18 of the *Code of Virginia*, as follows:

- Virginia Assessment Program Results: 2005-2009
- Demographics of Virginia's Public Schools
- List of School Divisions Reporting Full Compliance with the SOQ: 2008-2009
- School Divisions Reporting Noncompliance with SOQ: 2008-2009

- Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, and Schools Rated Accreditation Denied: 2008- 2009
- Standards of Quality: Board of Education Recommendations to the 2010 Session of the Virginia General Assembly

Please note that the Virginia Division of Legislative Services has been notified that the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia* will be delivered to the Governor and members of the General Assembly on or before December 1, 2009. This is slightly later than November 15, which is the due date specified in § 22.1-18 of the *Code of Virginia*.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education adopt the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia*, with the understanding that staff will make any necessary edits or technical updates prior to submission to the Governor and to the General Assembly.

**Impact on Resources:** Staff at the Department of Education prepared the attached draft; therefore, there is an administrative impact related to preparing the text of the report and the tables contained therein. In addition, there is a minimal administrative impact for preparing, photocopying, and mailing the report to the intended recipients. The fiscal impact of distributing the report is minimal because Legislative Services guidelines for submitting reports to the legislature require that the reports be submitted online rather than in hard copy.

**Timetable for Further Review/Action:** Following the Board's final adoption, the report will be transmitted to the Governor and the General Assembly as required by the *Code of Virginia*. It will also be made available to the public on the Board of Education's Web site.



***DRAFT: For Review November 17***

**2009  
ANNUAL REPORT ON THE  
CONDITION AND NEEDS  
OF PUBLIC SCHOOLS IN VIRGINIA**

PRESENTED TO  
THE GOVERNOR AND  
THE GENERAL ASSEMBLY

***DRAFT***

(*DATE*)  
VIRGINIA BOARD OF EDUCATION

## Members of the Board of Education as of July 1, 2009

Dr. Mark E. Emblidge  
President  
413 Stuart Circle  
Suite 303  
Richmond, VA 23220

Dr. Thomas M. Brewster  
172 Angel Lane  
Falls Mills, VA 24613

Mrs. Isis M. Castro  
2404 Culpeper Road  
Alexandria, VA 22308

Mr. David L. Johnson  
3103 B Stony Point Road  
Richmond, VA 23235

Mr. K. Rob Krupicka  
City Hall Office  
301 King Street  
Alexandria, VA 22314

Dr. Virginia L. McLaughlin  
College of William and Mary  
P.O. Box 8795  
Williamsburg, VA 23187-8795

Mr. Kelvin L. Moore  
616 Court Street  
Lynchburg, VA 24504

Mrs. Eleanor B. Saslaw  
5304 Woodland Estates Way  
Springfield, VA 22151

Dr. Ella P. Ward  
Vice President  
1517 Pine Grove Lane  
Chesapeake, VA 23321

### **Superintendent of Public Instruction**

Dr. Patricia I. Wright  
Virginia Department of Education

**COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
P.O. BOX 2120  
RICHMOND, VIRGINIA 23218-2120**

(date)

The Honorable Timothy M. Kaine, Governor  
Members of the Virginia General Assembly  
Commonwealth of Virginia  
Richmond, Virginia 23219

Dear Governor Kaine and Members of the Virginia General Assembly:

On behalf of the Board of Education, I am pleased to transmit the *2009 Annual Report on the Condition and Needs of Public Schools in Virginia*, submitted pursuant to § 22.1-18 of the *Code of Virginia*. The report contains information on Virginia's public schools, including an analysis of student academic performance and a report on the school divisions' compliance with the requirements of the Standards of Quality and the Standards of Accreditation.

The report contains compelling evidence that our schools and our students are achieving at higher levels. The report also points to evidence that persistent challenges remain to be tackled. The progress shown by our public schools is the result of ongoing collaboration, dedication, workable strategies, and wise use of resources, both human and financial. It is the result of the hard work of students, teachers, administrators, support staff, parents, and supporters throughout the Commonwealth.

We see a challenging year ahead as we face the economic headwinds that have developed in recent months; however, the Board of Education remains focused on the fundamentals of improving instruction for all students. Working together with the Governor, members of the General Assembly, school and community leaders, parents, and private partners, we can improve public education for all of Virginia's young people.

The Board of Education is grateful for the support the Governor and General Assembly continue to give to Virginia's school improvement efforts. As we look to the future, the members of the Board of Education pledge to remain focused on providing the best educational opportunities and the brightest future for the young people enrolled in Virginia's public schools.

Sincerely,

Mark E. Emblidge, Ph.D.  
President, Board of Education

## **Statutory Requirement for the Annual Report**

The *Code of Virginia*, § 22.1-18, states:

By November 15 of each year, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality. Such standards of quality shall be subject to revision only by the General Assembly, pursuant to Article VIII, Section 2 of the Constitution of Virginia. Such report shall include a complete listing of the current standards of quality for the Commonwealth's public schools, together with a justification for each particular standard, how long each such standard has been in its current form, and whether the Board recommends any change or addition to the standards of quality.

### **For Additional Copies**

Additional copies of the report are available by contacting Dr. Margaret Roberts, executive assistant to the Board of Education, P.O. Box 2120, Richmond, VA 23218; phone: 804/ 225-2924; or e-mail [Margaret.Roberts@doe.virginia.gov](mailto:Margaret.Roberts@doe.virginia.gov).

The report may be viewed online at: <http://www.doe.virginia.gov/boe/reports/index.shtml>

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**Board of Education**  
**2009 Annual Report on the Condition and Needs of**  
**Public Schools in Virginia**

***EXECUTIVE SUMMARY***

**Academic Progress of Virginia's Students**

Virginia's public schools and our students continue to show overall academic gains and receive national recognition for achievement and innovation. Performance indicators illustrate the progress Virginia's public schools are making in an era when all students must be challenged to reach their highest potential. Highlights of the performance measures contained in this report include the following:

- Ninety-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.
- Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 test, and students in only eight states achieved at a higher level on the eighth-grade assessment.
- NAEP results for 2009 also show that African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No other states were statistically higher than Virginia in grade 8. In Virginia, the percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.
- Virginia's statewide assessment results also show that Virginia's African-American and Hispanic students continue to narrow achievement gaps with white students in reading and mathematics.
- Virginia ranks third in the nation in the percentage of high school seniors earning a grade of three or better on Advanced Placement (AP) exams. Students who earn scores of three or above are generally considered to be qualified to receive college credit and/or placement into advanced courses.

- Accurate graduation rates for the state, school divisions, and high schools were calculated for the first time in 2008 using the longitudinal student-data system funded by the General Assembly. Eighty-two percent of the students in the class of 2008 graduated on time with a diploma.
- In 2009, Virginia high school students continued to fare better than their national counterparts on the ACT college admissions exam, and our graduates increased their achievement in reading and mathematics on the SAT. African-American and Hispanic Virginia public school graduates again achieved at a higher level on all three SAT subsections than their counterparts nationwide.
- In 2008, 162 Virginia public schools earned the 2009 Governor’s Award for Educational Excellence. The award is the highest honor under the Virginia Index of Performance (VIP) incentive program created by the Board of Education to encourage advanced learning and achievement. Last year, 89 schools received the award.
- The percentage of schools making AYP fell as federal benchmarks rose to 81 percent in reading and 79 percent in mathematics. Nonetheless, the percentage of school divisions making AYP increased by six points to 60 percent. Virginia and 71 percent of the public schools met or exceeded all No Child Left Behind (NCLB) objectives based on statewide testing during the 2008-2009 school year as student achievement increased in reading, mathematics and other subjects.
- Industry certifications earned through CTE programs have nearly doubled since 2007. During 2008-2009, 40 percent of CTE completers graduated with an Advanced Studies Diploma.
- *Education Week*, a prominent education journal, ranks Virginia as a national leader in online learning and the use of technology to expand opportunities for students.
- The 2009 graduation rate is one point higher than the four-year rate of 82.2 percent for the class of 2008.

### **Critical Needs of the Public Schools in Virginia**

The Board’s priorities for action—and the performance measures used to gauge our progress in meeting those priorities—focus on the most critical needs of the public schools. These needs include the following:

- Funding the Standards of Quality (SOQ) in the current fiscal and economic climate.

- Addressing student needs in light of a persistent poverty rate that exists for children and their families, which makes these children more likely to be sick as toddlers, unprepared for kindergarten, fall behind in grade school or drop out of high school, and are less likely to be economically successful as adults.
- Providing programs that address the increase in immigrant students—a large proportion of whom are also poor—who are more likely than others to drop out or leave school without the skills needed in a global marketplace.
- Eliminating gaps in graduation rates and student achievement, although improving, persist among Virginia’s African-American and Hispanic students and their white and Asian counterparts.
- Seeking new and efficient ways to use technology to reduce the testing burden on teachers and students, but to do so in a way that will not reduce accountability standards and that can be accomplished with available funding.
- Dealing effectively with the realities of schooling for some children who face difficult personal circumstances such as high poverty, high crime in their neighborhoods, high rates of unhealthy behaviors, poor nutrition, and other circumstances that obstruct their learning at school.
- Continuing the aggressive interventions by the Virginia Department of Education to assist divisions previously identified as low-performing.
- Finding new and effective ways to help colleges and universities and school divisions in the preparation, recruitment, and retention of teachers and other educational personnel.
- Making a concerted effort to develop and promote policies to help divisions recruit and maintain minority teachers and educational personnel.
- Maintaining emphasis on quality programs for at-risk four-year-olds across the state in an era of reduced resources.
- Finding and promoting new and effective ways to involve parents in their child’s education, a critical need that must be addressed if Virginia is to promote safe and healthy school environments, and eliminate achievement gaps.
- Helping teachers and administrators at all levels to gather, analyze, and use data to continuously improve teaching and learning—the data analysis work that can lead their schools to understand what needs to change to get better results. A further challenge is to create new resources for professional development that put usable information into the hands of those directly responsible for students’ learning.

## **Objectives of the Board of Education**

The Board of Education's *Comprehensive Plan: 2007-2012* established priorities for action. Contained in this report are highlights of the Board of Education's recent actions to meet the priorities. The Board of Education's priorities are stated as *objectives* for our schools and the objectives directly address the imperative to improve student achievement. The objectives include the following:

- Reaching high quality standards for all schools;
- Eliminating achievement gaps;
- Maintaining public accountability;
- Cooperating with partners to help put preschool programs in place;
- Supporting attainment of literacy skills for all students;
- Ensuring students' access to expert, highly-qualified teachers;
- Implementing provisions of state and federal laws and regulations pertaining to our public schools; and
- Helping schools create and maintain safe and orderly environments for children and their teachers.

## **Compliance with the Standards of Quality**

Eighty-two divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2008-2009 school year (Appendix C). Appendix D contains a list of school divisions that reported noncompliance with certain provisions of the SOQ.

## **Compliance with the Standards of Accreditation**

Ninty-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. Schools failing to meet the accreditation requirements are listed in Appendix E.

## **Review of the Standards of Quality**

Between the spring and fall of 2009, the Board reviewed the Standards of Quality and solicited public comment. The Board began this important work through its Committee on the Standards of Quality. The committee held several forums with statewide professional organizations to hear comments and suggestions from key constituencies in the field. Additionally, the Department of Education, through the Request for Proposal process, commissioned a study of SOQ funding, which was completed by an outside vendor.

Through this statewide, interactive process, the Board of Education adopted policy directives and recommendations that will be submitted for consideration by the 2010 General Assembly. The details of the Board's policy directives and recommendations are contained in the body of this report and are shown in Appendix F.

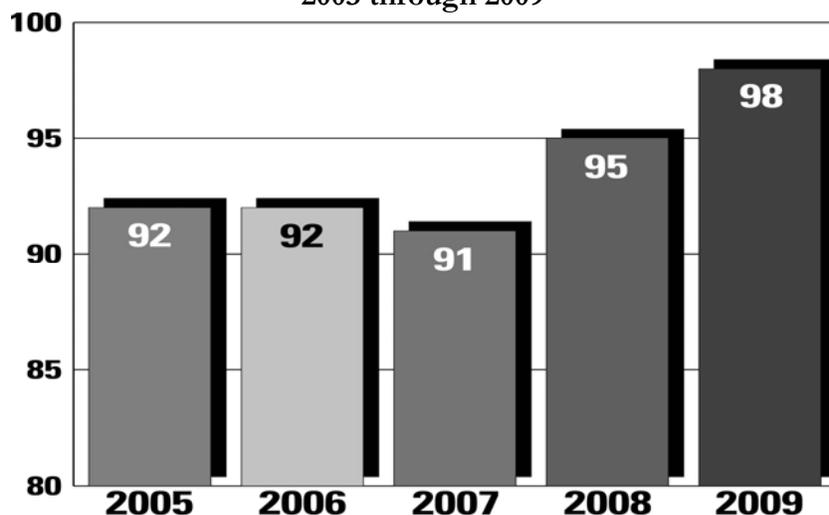
# 2009 Annual Report on the Condition and Needs of Public Schools in Virginia

## Academic Progress of Virginia's Students

Virginia's public schools and our students continue to show overall academic gains and receive national recognition for achievement and innovation. The high expectations of the Standards of Learning, effective accountability, and a statewide system of support for public education are creating new opportunities for advanced learning at every grade level. The following performance indicators illustrate the progress Virginia's public schools are making in an era when all students must be challenged to reach their highest potential.

### High Percent of Schools are Fully Accredited

Percent of Schools in Virginia Rated Fully Accredited 2003 through 2009



Ninety-eight percent of Virginia's public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.

### **Virginia Students Outperform Peers Across Nation in Reading, Mathematics**

Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 mathematics test, and students in only eight states achieved at a higher level on the eighth-grade mathematics assessment.

NAEP results in mathematics for 2009 also show that African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No other states were statistically higher than Virginia in grade 8. In Virginia, the percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.

NAEP results in previous years show that Virginia leads the nation in grade-4 science achievement. Virginia had the highest achieving girls in science on the 2007 NAEP and Virginia's fourth-grade boys came within one point of having the highest average score for males. Virginia students also outperform their peers in writing. On the 2007 NAEP writing test, Virginia students scored significantly higher than students in 20 other states and students in only seven states achieved significantly higher average scores.

### **Notable Progress in Eliminating Achievement Gaps**

While achievement gaps persist, the evidence from Virginia's statewide assessment program shows that gaps are closing. African-American and Hispanic students continue to narrow achievement gaps with white students on state assessments in reading and mathematics. During the last three years achievement gaps have narrowed in:

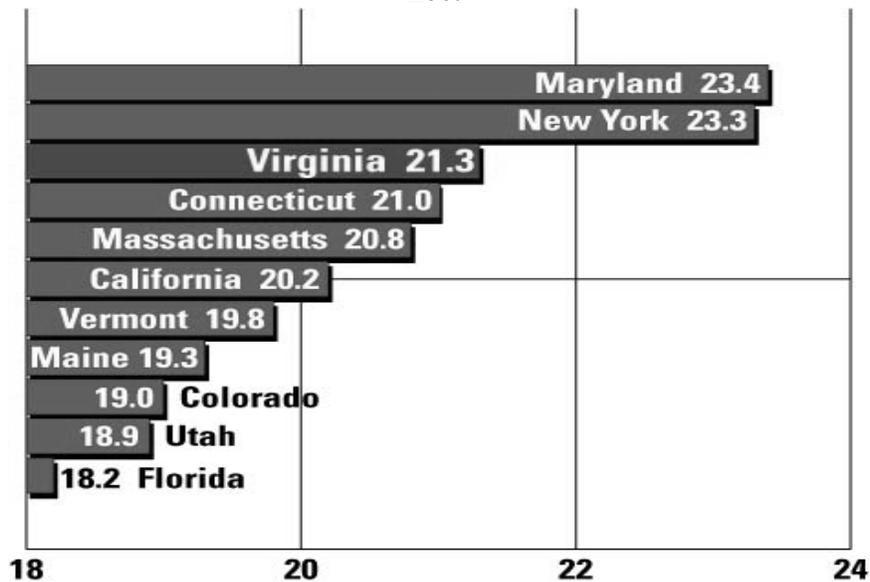
- Mathematics by 4 points for African-American students and 3 points for Hispanic students even though the performance of white students increased by 5 points.
- Reading by 2 points between African-American and white students, despite a 3-point increase for white students; and 10 points between Hispanic and white students.

### **Virginia Leads the Nation in Online Learning**

A prominent education journal ranks Virginia as a national leader in online learning and the use of technology to expand opportunities for students. In ranking Virginia, *Education Week* cited Virginia's low student-to-computer ratios, expanding online assessment program, rigorous technology standards and innovative online learning programs, including Virtual Virginia, which has broadened access to Advanced Placement (AP) and other challenging courses for the state's middle and high school students.

## Virginia is Third in the Nation on Advanced Placement (AP) Results

### Advanced Placement (AP) Test Results: Virginia's Ranking Among Selected States 2009



Virginia ranks third in the nation in the percentage of high school seniors earning a grade of three or better on AP exams. In 2008, the number of Virginia public school students who took at least one AP test increased by 8.8 percent. Students who earn scores of 3 or above are generally considered to be qualified to receive college credit and/or placement into advanced courses.

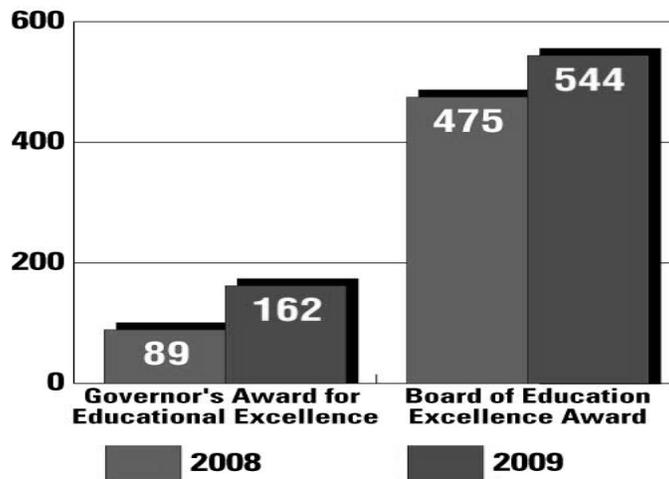
### Students Outperform Peers on College Entrance Examination Results

ACT: Virginia high school students continued to fare better than their national counterparts on the ACT college admissions exam. Seventy-four percent of Virginia's students met college-readiness English benchmarks compared with 67 percent nationally. For mathematics, 49 percent of Virginia students met the mark, while 42 percent of students across the country did. For reading, Virginia students were at 59 percent compared to the national number of 53 percent. In science, Virginia had 33 percent reach the benchmark compared with 28 percent nationally.

SAT: Virginia public school graduates increased their achievement in reading and mathematics on the SAT in 2009 and outperformed their peers nationwide on all three subsections of the college-admissions test. African-American and Hispanic Virginia public school graduates again achieved at a higher level on all three SAT subsections than their counterparts nationwide.

### Number of High-Performing Schools Increases Significantly

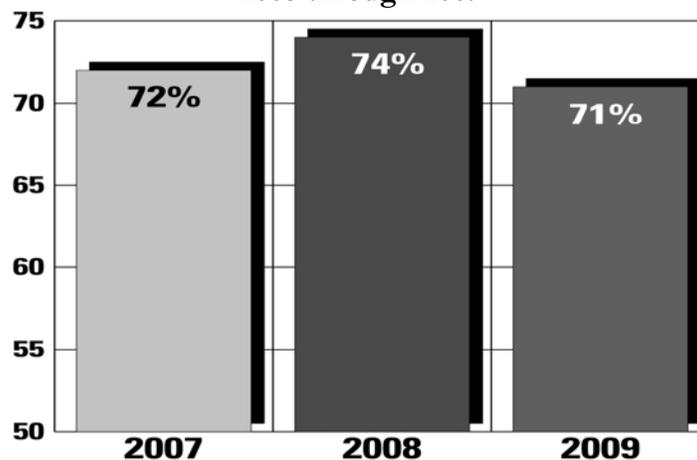
Number of Schools Earning Recognition:  
Virginia Index of Performance (VIP)  
2008 and 2009



In 2008, 162 Virginia public schools earned the 2009 Governor's Award for Educational Excellence. The award is the highest honor under the Virginia Index of Performance (VIP) incentive program created by the Board of Education to encourage advanced learning and achievement. Last year, 89 schools received the award.

### Students Again Meet or Exceed Federal Benchmarks

Percentage of Virginia's Schools Meeting Federal  
Adequate Yearly Progress (AYP) Benchmarks  
2007 through 2009



The percentage of schools making AYP fell as federal benchmarks rose to 81 percent in reading and

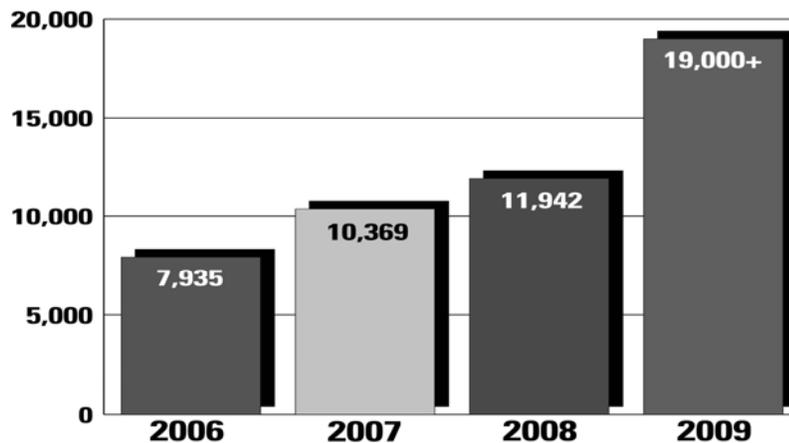
2009 Annual Report on Condition and Needs of Public Schools

79 percent in mathematics. Nonetheless, the percentage of school divisions making AYP increased by six points to 60 percent. Virginia and 71 percent of the Commonwealth’s public schools met or exceeded all No Child Left Behind (NCLB) objectives based on statewide testing during the 2008-2009 school year as student achievement increased in reading, mathematics and other subjects. It was the second consecutive year and the fourth time in the last five years that Virginia achieved what the federal law describes as “adequate yearly progress,” or AYP, toward 100-percent proficiency for all students in reading and mathematics, the two subjects that are the primary focus of the federal law.

Student achievement — especially among minority students — increased overall and in critical areas such as early reading and middle school mathematics. This continued progress (reflected also in the NAEP results shown above) reflects improvements in teaching and learning in formerly low-performing schools and a data-driven, student-by-student approach to raising achievement.

**Impressive Growth in Number of Students Earning Industry Certifications**

**Number of Industry Certifications  
Earned by Virginia’s  
Public School Students**



Industry certifications earned through CTE programs have nearly doubled since 2007. During 2008-2009, 40 percent of CTE completers graduated with an Advanced Studies Diploma.

**On-Time Graduation Rate**

Virginia is setting a national standard for accuracy in reporting graduation rates in a way that is easily understood by the public. More than 83 percent of the students in the class of 2009 graduated on time with a diploma. The 2009 “Virginia On-Time Graduation Rate” of 83.2 percent expresses the percentage of students who were first-time ninth graders during the 2005-2006 school year and earned a Board of Education-approved diploma within four years. The 2009 graduation rate is one point higher than the four-year rate of 82.2 percent for the class of 2008.

## **Critical Needs of the Public Schools in Virginia**

The overarching need is to ensure that all of Virginia's young people achieve high standards of excellence, no matter what community they reside in or what challenges they face. The Board of Education's priorities for action acknowledge the challenges of living and working in our global economy now and in the foreseeable future—the rapid growth in technology, the changing demographics of our schools, and greater demands for higher-level skills for all citizens. Meeting the needs of our public schools calls for more political, financial, legislative, and programmatic will than ever before to ensure the success of all Virginia's students.

The Board's objectives—and the performance measures used to gauge our progress in meeting those objectives—focus on the most critical needs of the public schools. These needs include the following:

- Funding the Standards of Quality (SOQ)

There can be no doubt that a challenging year is ahead as Virginia's public schools face the economic headwinds that have developed in recent months. In Virginia, Direct Aid to localities for public education is the single largest General Fund expenditure. The current fiscal climate at the state and federal levels challenges the stability of public education, social services, and other supports for children and families. Resources are limited for students who require extra help, such as gifted students or students with disabilities who need special attention. The challenge requires that all educators remain focused on the fundamentals of making sure every student under our charge is successful and that we remain committed to delivering results.

- Persistent Poverty

One in ten Virginians lives in poverty, whether native-born or foreign-born. Children living in poverty are more likely to be sick as toddlers, unprepared for kindergarten, fall behind in grade school or drop out of high school, and are less likely to be economically successful as adults.

Since 2000, the poverty rate among Virginia's school-age children has fallen, but not among children in some areas of the state. Poverty distribution is uneven across the state – rural counties and central cities have the highest percent of students eligible for free and reduced lunch. Slightly more than one-third of public school children are eligible for free and reduced-price lunch, up from less than 30 percent in 2000.

- Changing Demographics

In 1998, Virginia's public schools enrolled fewer than 27,000 Limited English Proficient (LEP) students. A decade later (2008) the number had risen to more than 87,000. This growth is expected to continue for the foreseeable future, placing a significant need for resources for the public schools. Immigrant students—especially those that may also be poor—are more likely than others to drop out or leave school without the skills needed in a global marketplace.

- Persistent Achievement Gaps

This is one of the most pressing challenges that states across this nation face. Virginia is no exception. Gaps in graduation rates exist between Virginia's African-American and Hispanic students and their white and Asian counterparts. This is equally true for students who are economically disadvantaged. Although improving, gaps also persist on the statewide assessments among Virginia's African-American and Hispanic students and their white and Asian counterparts. Recent changes in federal education policy have put the spotlight on the achievement gap issue, and schools are struggling to bring all students' achievement up to high levels.

The good news is Virginia is making progress. For example, Virginia boasts one of the nation's smallest achievement gaps between whites and Hispanics. Here, eighth-grade Hispanic students had the highest NAEP writing scores for Hispanic students in any state. The persistent challenge is to accelerate this progress and raise the achievement of all students.

- Availability and Use of Latest Technology

At the state level, Virginia is seeking new and efficient ways to use technology to reduce the testing burden on teachers and students, but to do so in a way that will not reduce accountability standards. The infrastructure for such powerful tools is expensive to develop and maintain. Moreover, technology and connectivity have made changes possible by allowing access by essentially everyone to very large data sets or specialized information at any location and at any time. Students in the future will have grown up with these technological changes and will have experienced a wider variety of learning styles than students in the past. This change in teaching/learning approaches has been underway for some time, but it is accelerating and changing the character of the learning experience for students, and will continue to do so for classroom teachers, many of whom require training in the appropriate and efficient use of the technology.

- Safe and Healthy Environments for Students and Teachers:

A high priority for the Board is dealing effectively with the realities of schooling for some children who face difficult personal circumstances such as high poverty, high crime in their neighborhoods, high rates of unhealthy behaviors, poor nutrition, and other circumstances that obstruct their learning at school. The Board of Education must help school divisions by providing solid, workable guidelines and policies to assist those who are responsible for the health and safety of students and staff while they are at school, on school grounds, on their way to or from school, and involved in school-sponsored activities. The Virginia Department of Education's work to provide information and resources about H1N1 is a good example. The Board must continue to stress the importance of successful, communitywide partnerships in the development of procedures and policies that most effectively support healthy, safe, orderly and disciplined school environments.

- The Need to Assist Chronically Low-Performing Schools

What to do about chronically low-performing schools is a central issue in the Board of Education's school improvement efforts and accountability system. Its urgency is underscored by the federal *No Child Left Behind Act of 2001*, which mandates an aggressive system of corrective measures for schools receiving federal assistance that fail to meet progress goals.

- Preparation, Recruitment, and Retention of Educational Personnel

The current economic down-turn for the state and the localities will impact teacher recruitment and retention. Due to budget limitations, many localities are proceeding with slimmed-down teacher recruitment and hiring. For some divisions, teacher and staff layoffs may be unavoidable. At least in part a result of economic hard times, many teachers will likely stay put by holding on to their current teaching job or by deferring retirement.

For the next several years, the reality for teacher supply and demand is two-fold: available teaching positions will become scarce except for some chronic shortage areas, and divisions will struggle to close looming budget gaps, making teacher and staff layoffs unavoidable for some.

Digging deeper for the long term, additional underlying demographics will impact teacher recruitment and retention. Finding and retaining qualified teachers in chronic shortage areas have been persistent problems for local divisions. Shortage areas include special education, mathematics, some foreign languages, and teachers of English as a Second Language. We also see that the number of completers of Virginia's teacher preparation programs is around 3,200 each year, far short of the 5,100 new and beginning teachers hired in 2008. Moreover, Virginia's annual teacher turnover rate is slightly more than nine percent. For principals and assistant principals, the annual turnover rate is higher, at 10 percent. Approximately one-fifth of our teaching force and one-fourth of the principals and assistant principals are aged 55 or older—a significant number of teachers and principals now at or nearing full retirement age. When considered as a whole, these demographics mean challenging times ahead, both short-term and long-term.

- Recruiting Minority Teachers

Boosting the diversity of Virginia's teaching staff is crucial at a time when educators are worrying about eliminating achievement gaps. The gap between the diversity of students in the schools and the ethnic characteristics of the teaching force poses a key question: will teachers reflect the tremendous diversity of the students they will serve? Not without a concerted effort. In Virginia, 13 percent of teachers are African-American and 2 percent are Hispanic, compared with approximately 26 and 9 percent of students, respectively.

- High-Quality Preschool Programs

The number of school divisions participating in the Virginia Preschool Initiative has grown from 75 in the 2001-2002 school year, to 114 in the 2008-2009 school year. Also, the number of children served has grown from 5,966 in 2001-2002 to 15,657 children in 2008-2009. Despite this growth, the number of at-risk four-year-olds in Virginia continues to be a concern. Without providing high quality preschool to all at-risk four-year-olds, many at-risk five-year-old children will continue to enter kindergarten without adequate preparation to be fully ready to learn.

- Promoting Parental and Family Involvement

The family and the home are both critical education institutions where children begin learning long before they start school, and where they spend much of their time after they start school. It stands to reason that involving parents in their child's education is conducive to learning. Such involvement is critical if we are to improve the educational achievement of Virginia's students, promote safe and healthy school environments, and eliminate achievement gaps. To do this, schools need to promote and enhance cooperative partnerships in which families are allies in the efforts of teachers and schools.

- Using Information and Research to Improve Student Learning

The members of the Board of Education understand the need to take a leadership role to strengthen the bridge that connects research to the practice of teaching and learning. Dr. Victoria Bernhardt, a nationally recognized authority in the use of research to improve student learning, asserts: "The more all staff are involved in collecting and analyzing data, the more they will get involved in implementing the changes demanded by the results." We agree. Finding ways to help teachers and administrators know how to properly interpret and use data will go a long way in ensuring that each child succeeds in the classroom.

At the state level, we must use information and research to guide policy decisions that support improvements in teaching and learning. At the division and school level, classroom teachers and school personnel have lots of information on student academic performance and classroom methods and practices. The challenge is to help teachers and administrators at all levels to gather, analyze, and use data to continuously improve teaching and learning—the data analysis work that can lead their schools to understand what needs to change to get better results. A further challenge is to create new resources for professional development that put usable information into the hands of those directly responsible for students' learning.

## **The Board of Education's Plan of Action**

The Board of Education's objectives for our schools directly address the imperative to improve student achievement. The objectives include the following:

- Reaching high quality standards for all schools;
- Eliminating achievement gaps;
- Maintaining public accountability;
- Cooperating with partners to help put preschool programs in place;
- Supporting attainment of literacy skills for all students;
- Ensuring students' access to expert, highly-qualified teachers;
- Implementing provisions of state and federal laws and regulations pertaining to our public schools; and
- Helping schools create and maintain safe and orderly environments for children and their teachers.

The Board of Education has adopted a comprehensive plan of action for the coming years. More details for the plan of action may be found in the Board of Education's *Comprehensive Plan: 2007-2012*, which may be viewed on the Board of Education's Web site at the following address: [http://www.doe.virginia.gov/VDOE/VA\\_Board/comprehensiveplan.pdf](http://www.doe.virginia.gov/VDOE/VA_Board/comprehensiveplan.pdf). It outlines eight objectives (discussed in more detail below), along with strategies and activities that will provide the framework for the Board of Education's focus for the near future.

### **The Board's Performance Measures: Addressing the Needs of Virginia's Public Schools**

The following objectives were set by the Board to address the complex challenges that impact our schools and our young people.

#### **Objective 1: The Board of Education will continue to enhance the quality standards for all public schools in Virginia.**

Within the past two years, the Board of Education revised Virginia's accreditation standards to require high schools to meet an annual benchmark for graduation. The "graduation and completion index" requires schools to meet a minimum benchmark to be fully accredited. The new accountability requirement—and others approved as part of a revision of the Standards of Accreditation—will be phased in, beginning with accreditation ratings for the 2011-2012 school year. Other important changes include the following:

- Requiring schools to develop an Academic and Career Plan for every middle and high school student, beginning with students entering the seventh grade during the 2010-2011 school year.

- Requiring students, beginning with students entering the ninth grade in 2010, to successfully complete a one-credit course in economics and personal finance to earn the Standard, Advanced Studies, Standard Technical or Advanced Technical Diploma.
- Prescribing rigorous requirements for the new Standard Technical Diploma and the new Advanced Technical Diploma.

**Objective 2: The Board of Education will provide leadership to help schools and school divisions eliminate the achievement gap between groups of students and increase the academic success of all students.**

While progress is encouraging, there is still work to be done to eliminate achievement gaps. In 2008, Virginia's African-American and Hispanic student graduation rates were 12 and 15 percentage points lower than their white counterparts, and 20 or more percentage points below their Asian counterparts.

There is, however, evidence that Virginia's efforts to eliminate achievement gaps are showing results. Virginia fourth-grade and eighth-grade students outperformed their peers nationwide and in the South in mathematics on the 2009 National Assessment of Educational Progress (NAEP). Also known as *The Nation's Report Card*, NAEP is a national measure of student achievement. Students in only five states performed at what the National Center for Education Statistics (NCES) considers a statistically higher level on the grade-4 test, and students in only eight states achieved at a higher level on the eighth-grade assessment.

The average scores of Virginia students were significantly higher than the average scores of their national and regional peers. NCES considers the increase in mathematics achievement of Virginia students in both grades since 2003 as statistically significant.

African-American fourth graders in only two states—Massachusetts and Texas—achieved statistically higher average scores than those in Virginia. No states were statistically higher in grade 8. The percentage of African-American students in grade 4 meeting or exceeding the NAEP standard is significantly larger today than in 2000.

Only Hispanic fourth graders in Montana achieved a statistically higher average score than those in Virginia, while no states were statistically higher in grade 8. The percentage of Hispanic Virginia fourth graders meeting or exceeding the NAEP standard is significantly larger today than in 2000, when only 16 percent met or exceeded the standard.

There is additional evidence that Virginia's efforts to eliminate achievement gaps are showing results. A U.S. Department of Education report recognizes Virginia for narrowing achievement gaps between African-American and white students in reading and mathematics. The report, *Achievement Gaps: How African-American and White Students in Public Schools Perform in Mathematics and Reading on the National Assessment of Education Progress*, compares student achievement in 2007 with performance in previous years. The report found that Virginia is one of only five states with achievement gaps in reading smaller than the nation's in both grades.

**Objective 3: The Board of Education will support accountability for all schools, focusing on assisting chronically low-performing schools and school divisions while recognizing all schools and school divisions as they move towards excellence.**

There is no question that aggressive interventions by the Virginia Department of Education and well-defined partnerships between the Board of Education and local school boards have produced positive results in divisions previously identified as low-performing.

The Department of Education promotes student learning and achievement by assisting schools and school divisions in the implementation of effective instructional strategies and best practices. Programs include school-level and division-level academic reviews, school improvement planning, and innovative programs such as the Partnership for Achieving Successful Schools (PASS).

Virginia has fewer chronically low-performing schools, defined as schools that were accredited with warning for three consecutive years. The number of chronically low-performing schools dropped significantly for the 2009-2010 accreditation year. Moreover, the number of schools accredited with warning in 2009 fell to 17, compared with 54 last year. Forty-eight schools that were on academic warning last year achieved full accreditation.

School accreditation year	Number of chronically low-performing schools
2009-2010	11
2008-2009	33
2007-2008	42
2006-2007	58

**Objective 4: The Board of Education will work cooperatively with partners to help ensure that all young children are ready to enter kindergarten with the skills they need for success.**

The Board of Education has supported efforts to provide high quality early learning experiences for preschool-age children. Virginia's Office of Early Childhood Development was launched in July 2008. The purpose of the new office is to maximize opportunities for Virginia's children to reach kindergarten healthy and prepared for school success.

This is a unique, interagency effort spanning the Departments of Education and Social Services and will link to the Department of Health, and incorporates existing staff, functions, programs, and funding streams. Through this office, Virginia's early childhood initiatives are coordinated: Smart Beginnings, the Governor's Working Group on Early Childhood Initiatives, Virginia's Star Quality Initiative, the School Readiness Task Force, and others.

In 2008, to jump start programs for young children the Board of Education adopted a standard definition of school readiness, which describes the concept of children's readiness for school at kindergarten entry in the context of ready families, schools, and communities. It describes the capabilities of children, their families, schools, and communities that will best promote student success in kindergarten and beyond.

Students who participate in public preschool programs, including the Virginia Preschool Initiative program continue to have fewer needs for extra support in learning how to read when they enter kindergarten compared to the entire kindergarten class. As well, the data suggest that Virginia’s collaborative and multi-year effort to increase student preparedness for kindergarten is having an impact. Virginia saw a 3 percentage point drop (see table below) in the percent of kindergarten students who enter school requiring extra support to be on track to learn to read.

Student group	Percent requiring extra support to stay on track to learn to read			
	Fall 2005	Fall 2006	Fall 2007	Fall 2008
Attended any type of public preschool the year before kindergarten	13%	13%	11%	12%
Attended VPI programs the year before kindergarten	13%	11%	10%	9%
All kindergarten students participating in pre-literacy screening in kindergarten	18%	17%	17%	14%

**Objective 5: The Board of Education will establish policies that support the attainment of literacy skills of all students, kindergarten through grade 12.**

The Governor and the General Assembly have supported the Board of Education’s efforts to provide sound support for students who are at-risk of not meeting the state’s high academic expectations. Funding for programs and technical assistance are now in place to help students who may be struggling because:

- They have not had opportunities comparable to those of other students;
- They have a history of poor performance in certain content areas that warrants intervention to prevent further decline;
- They have struggled unsuccessfully to meet higher graduation requirements;
- They come from non-English speaking homes; or
- Their life circumstances make it difficult to succeed.

To help students who are struggling academically, programs such as the following are in place: Virginia Preschool Initiative, the K-3 Class Size Reduction, the At-Risk Add-on, and the SOQ English as a Second Language programs. Additional programs include the Early Intervention Reading Initiative; the Algebra Readiness Initiative; Project Graduation; Remedial Summer School; SOQ Prevention, Intervention, and Remediation; and the Regional Alternative Education Programs.

There is a wealth of data available to show the positive impact of each of these programs. Funds made available through these programs are used for early identification and support of all students in all content areas based on their poor performance on Standards of Learning assessments. Student subgroups have shown improvement on all Standards of Learning tests since 2002-2003. Increases have been greatest for African-American students, economically disadvantaged students, English language learners, and students with disabilities, thus helping to narrow the achievement gap.

**Objective 6: The Board of Education will establish policies and standards that enhance the preparation, recruitment, and retention of educational personnel, including their meaningful, ongoing professional development.**

Highly qualified teachers and educational personnel are essential. In 2008-2009, 98 percent of teachers in core academic classes were considered highly qualified. However, these teachers are not distributed evenly, as 3 percent of classes in high-poverty schools are taught by teachers who are not highly qualified, compared to only 1 percent in low-poverty schools. This is an improvement from 2006-2007, when 5 percent of core academic classes in high-poverty schools were taught by teachers who were not highly qualified, compared to 2 percent of core classes in low-poverty schools.

Another dimension of this challenge is the finding that our teacher work force as a whole does not reflect the tremendous diversity of our student population in that 13 percent of Virginia's teachers are African-American and 2 percent are Hispanic, compared with approximately 26 and 9 percent of students, respectively.

To address these and other issues related to teacher preparation, recruitment, and retention, the Board of Education tries to take full advantage of research-based information that improves our understanding of factors related to teacher preparation, recruiting, and retention, especially the role that the Board plays in system-wide policies promoting the teaching profession. It is felt that the initiatives and programs briefly described below can help boost the ranks of minority teachers. These and other programs address the need to maintain competitive salaries and incentives, student-teacher ratio, caring and supportive work environments and the overall value of the teaching profession.

Programs underway in the Department of Education include strategies that target diverse and talented middle and high school students as potential teaching candidates. These initiatives also stress the importance of providing support for teachers in the critical first years and offering ongoing professional development opportunities. Simply put, the strategies support the teaching career as a continuum, not a series of disconnected steps stacked on top of each other. Examples of partnerships and collaborations include programs such as the Career Switcher Program, alternative certification regulations, Troops to Teachers Program, National Board Certification grants, Teaching Scholarship Loan program, technical assistance for teacher mentoring, and higher education teacher preparation programs.

Virginia supports a "grow your own" approach where divisions can identify potential teachers within their own schools. The Virginia Teachers for Tomorrow Program is an excellent long-term recruitment strategy to increase the pool of candidates who will be able to fill critical shortage vacancies, increase the diversity of teacher applicants, and promote the hiring of local candidates who are more likely to remain within their school divisions. The Special Education Endorsement Program is another important component that provides awards to institutions of higher education to offer endorsement programs and tuition assistance to persons holding provisional licenses pursuing a full license with an endorsement in special education-general curriculum.

Another statewide program is the Virginia Middle School Mathematics Teacher Corps. This initiative addresses middle school mathematics, one of the top 10 areas of critical teacher shortage in 2008-2009. This program provides powerful incentives in the form of annual salary differentials for the Teacher Corps member. Participating schools have made significant gains on the mathematics SOL assessments since the program began in 2005. For example, in grade 6 in participating schools: from 48 percent to 67 percent passing; in grade 7, from 34 percent to 66 percent passing; in grade 8, from 73 percent to 83 percent passing.

The TeachVirginia program continues to include comprehensive resources to recruit school personnel, specifically in the critical shortage teaching areas, to Virginia schools and to encourage individuals to pursue a career in education. The recruitment initiative includes a membership to Teachers-Teachers.com for all school divisions. This allows school divisions to post an unlimited number of positions in all endorsement areas; conduct searches for candidates in all areas; and hire teachers, administrators, and related service providers. As part of the continuation of TeachVirginia, the *Teachers Rock* Educator Recruitment Campaign is a dynamic approach designed to encourage individuals, including students in high school and at two-year or four-year institutions, to consider pursuing a career in education.

To address the teacher turn-over rate, the Mentor Teacher program has had a positive impact. Eighty-five percent of beginning teachers participating in the 2007-2008 program remained in the same school in 2008-2009, an improvement of 5 points over the previous year.

**Objective 7: The Board of Education will provide leadership in implementing the provisions of state and federal laws and regulations.**

During the past two years, the Board of Education has been actively engaged in revising its *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*. The revision was necessary to make a number of updates and to bring the state's regulations in line with the recent reauthorization of the federal law and related federal regulations. By ensuring that Virginia's state special education regulations are aligned with federal requirements, the Board ensures that students with disabilities in the Commonwealth have available a free appropriate public education and are afforded the procedural safeguards guaranteed by federal law.

Another important area that has huge impact on school divisions is the Virginia Department of Education's role in assisting localities to receive and appropriately utilize the funding flowing from the American Reinvestment and Recovery Act (ARRA) of 2009, which provides millions of dollars of support for Virginia's schools. While the Board of Education's role is limited, the technical assistance provided by the department is critical in implementing the provisions of this program.

In using ARRA funds, the state and school divisions must advance core reforms which have long been a key part of our key objectives: implementation of college- and career-ready standards and assessments for all students; establishment of preschool to postsecondary and career longitudinal data systems; improvement in teacher quality—especially for students most at risk of academic failure; and improvement of low-performing schools through effective interventions.

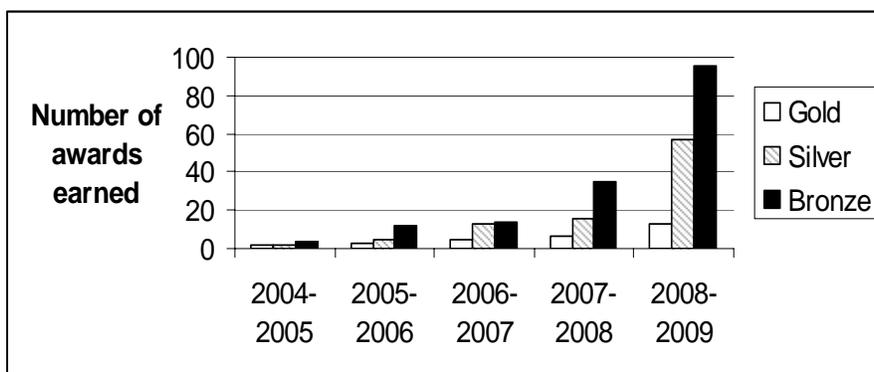
**Objective 8: The Board of Education will provide leadership to help schools and school divisions ensure a safe and secure environment conducive to facilitating the teaching and learning process.**

In 2005, Virginia established the Governor’s Nutrition and Physical Activity program to drive best practices and policy changes at the school and division levels, enhance student health, and improve academic achievement. The Board of Education provided further incentive for schools and school divisions to participate by incorporating the program into Virginia’s recognition program for educational excellence, the Virginia Index of Performance (VIP). Under the VIP program, school divisions earn bonus points for increasing the number of schools participating in the program, and schools earn points for earning bronze, silver, and gold awards. Virginia has seen a steady increase in program participation since 2005, and even greater increases awards earned since it was included in VIP. In school year 2008-2009, the number of schools earning awards increased nearly 300 percent as compared to the prior year. More information about the program is available at: <http://www.virginia.gov/doe/login.html>.

**Number of Schools and School Divisions Participating in the Governor’s Nutrition and Physical Activity Awards Program**

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
Participating School Divisions	67	98	100	107	112
Participating Schools	248	449	551	735	845

**Number of Schools Earning Awards through the Governor’s Nutrition and Physical Activity Awards Program**



Another major area of concern for the health of schoolchildren has been the recent H1N1 outbreak. To illustrate how the Board of Education and the Department of Education must respond quickly to evolving critical needs and concerns across the state, the Virginia Department of Education provided leadership, guidance, and resources to school division personnel in meeting the challenges

posed by the H1N1 influenza pandemic. During 2009, the department initiated and maintained an H1N1 influenza Web site dedicated to providing resources specific to the education community. The *Pandemic Influenza Plan Guidelines for Virginia Public Schools* and the *Pandemic Influenza Planning for Schools: Social Distancing Strategies by Pandemic Phase* guidance documents, developed by the department to assist school division personnel in developing their division specific plans, have been reviewed and made available to school division leadership.

In addition, the department collaborated with Virginia Department of Health and the Virginia Department of Treasury to ensure that school nurses giving H1N1 flu vaccinations as part of school immunization clinics are covered under a medical liability insurance policy. As of October 2009, 123 school divisions have committed to hold school based immunization clinics utilizing either health department personnel or school nurses to administer the vaccinations.

### **Compliance with the Requirements of the Standards of Quality**

Section 22.1-18 of the *Code of Virginia* requires the Board of Education to “identify any school divisions and the specific schools therein which have failed to establish and maintain schools meeting the existing prescribed standards of quality.”

Eighty-two divisions reported full compliance with the provisions of the Standards of Quality (SOQ) in the 2008-2009 school year. Appendix C contains a list of school divisions that have reported noncompliance with any of the provisions of the SOQ. The appendix also provides additional information on the status of compliance over the last two years for these divisions. Each year, staff members of the Department of Education collect self-assessment data from school divisions on their compliance with the provisions of §§ 22.1-253.13:1 through 22.1-253.13:8 of the *Code of Virginia* (SOQ). The chairman of the school board and division superintendent certify the level of compliance with the standards and the individual indicators within each standard to the Department of Education via an electronic data collection system.

It is important to note that where divisions indicate less than full compliance with the standards, corrective action plans for the noncompliance items are required. Of the divisions that were not in full compliance, all have filed a corrective action plan. The data are for the 2008-2009 school year and for the SOQ that were in effect as of July 1, 2008.

### **Compliance with the Requirements of the Standards of Accreditation**

Ninety-eight percent of Virginia’s public schools are fully accredited and meeting state standards for achievement in English, mathematics, history and science based on 2008-2009 assessment results. This is the highest percentage of schools reaching full accreditation since the Commonwealth began accrediting schools based on student achievement ten years ago.

Students in 98 percent, or 1,826, of Virginia's 1,867 schools met or exceeded state objectives on Standards of Learning (SOL) tests and other statewide assessments in the four core academic areas last year. Virginia's public schools have accomplished what many ten years ago thought was impossible. With the sustained support of governors, legislators and policy-makers from both parties, teachers and other educators have met the challenge of higher standards and students are achieving at significantly higher levels in nearly every school in the Commonwealth.

The percentage of middle schools achieving full accreditation increased again as the performance of students on rigorous grade-level mathematics tests introduced four years ago continued to improve. Ninety-six percent, or 299, of Virginia's 312 middle schools are now fully accredited compared with 87 percent last year and 69 percent two years ago.

All but a handful of schools are now meeting or exceeding state standards even though the rigor of the Commonwealth's SOL accountability system has increased. The Board of Education will maintain its focus on raising achievement in schools that have yet to earn and maintain full accreditation.

Appendix E shows the listing of divisions with all schools rated Fully Accredited, schools granted Conditional Accreditation, schools rated Accredited with Warning, and schools rated Accreditation Denied.

The accreditation ratings are based on the achievement of students on SOL assessments and approved substitute tests in English, mathematics, history and science administered during the summer and fall of 2008 and the spring of 2009, or on overall achievement during the three most recent academic years. The results of tests administered in each subject area are combined to produce overall school passing percentages in English, mathematics, history and science.

In middle schools and high schools, a pass rate of at least 70 percent in all four subject areas is required for full accreditation. In elementary schools, a combined pass rate of at least 75 percent on English tests in grades 3-5 is required for full accreditation. Elementary schools also must achieve pass rates of at least 70 percent in mathematics, grade-5 science and grade-5 history, and pass rates of at least 50 percent in grade-3 science and grade-3 history.

Accreditation ratings may reflect adjustments made for schools that successfully remediate students who failed reading or mathematics tests during the previous year. Adjustments also may be made for students with limited-English proficiency and for students who have recently transferred into a Virginia public school.

## **Review of the Standards of Quality**

The 2009 General Assembly added language to Item 140 of the Appropriation Act requiring the Board of Education to review the SOQ and submit a report by November 1, 2009. Specifically, Item 140 states:

The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program. The findings of this review, its associated costs, and its final recommendations for rebenchmarking shall be submitted to the Governor, the Chairmen of House Appropriations and Senate Finance Committees and the Joint Subcommittee on Elementary and Secondary Education Funding established pursuant to Item 1, paragraph H. of this Act no later than November 1, 2009.

Between the spring and fall of 2009, the Board reviewed the Standards of Quality and solicited public comment. The Board began this important work through its Committee on the Standards of Quality. The committee set to work immediately by holding several forums with statewide professional organizations to hear comments and suggestions from key constituencies in the field. Additionally, the Department of Education, through the Request for Proposal process, commissioned a study of SOQ funding, which was completed by an outside vendor.

Through its statewide, interactive process, the Board of Education adopted policy directions and recommendations that will be submitted for consideration by the 2010 General Assembly. The Board of Education's policy directions for the recommended changes to the SOQ are detailed below. The Board also felt that further study was warranted, especially in the area of staffing standards in the "support services" category. The topics for further study are listed below. The recommended revisions to the SOQ are shown in Appendix F.

### **Policy Directions**

- Enhance the Standards of Quality so that the Commonwealth's basic foundation program for K-12 public education reflects a comprehensive educational program of the highest quality.
- Provide clarity and greater transparency in SOQ funding with the goal of maintaining the Commonwealth's commitment to public education funding at the state and local levels and encouraging a continued emphasis on school-based instructional services.
- Provide greater flexibility to school divisions in using noninstructional personnel funding for instructional support services.
- Support the appropriateness of establishing ratio standards for individual categories of "support service" positions as is the current practice used for instructional personnel.
- Advocate against permanent structural changes to the Standards of Quality that result in decreased funding for K-12 public education.

- Begin building a more comprehensive basic foundation program by including in the SOQ gifted, special education, and career and technical staffing ratios and certain incentive programs that have become core components of K-12 educational programs statewide and currently funded in the appropriation act.
- Set priorities for the Board's unfunded SOQ recommendations from previous years so that these instructional staffing standards can be fully implemented in future years.
- Begin to address the Board's school leadership priorities of requiring a principal in every school and increasing the number of assistant principals in schools with the greatest need.
- Mitigate the perverse incentive of reducing a school division's special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- Provide additional policy guidance and direction to school divisions offering alternative or nontraditional educational programs, such as the Individual Student Alternative Education Plan (ISAEP).

#### **Summary of SOQ Language Revisions to Address Policy Directions**

- Codify the Board of Education's recommendations that were included in the 2009 Appropriation Act providing flexibility in the use of existing funds for hiring reading specialists, mathematics specialists, data coordinators, and instruction of English language learners.
- Codify the provisions of the Early Intervention Reading Initiative and the Algebra Readiness program by including them in the Standards of Quality and requiring all school divisions to provide these interventions with funding currently appropriated for these incentive programs.
- Codify the appropriation act provision that the Standards of Quality includes a minimum of 58 licensed, full-time instructional positions per 1,000 students, including instructional positions for special education, gifted education, and career and technical education.
- Codify the staffing standards for special education (currently in regulations), gifted education (currently in the appropriation act), and career and technical education (currently in regulations).
- Provide school divisions the flexibility to deploy assistant principals to the schools with the greatest needs, so long as they employ a sufficient number of assistant principals divisionwide to meet the total number required in the current SOQ staffing requirement.
- Define the categories of personnel who make up "support services," specify how those positions are funded, and require transparency in the use of funds by mandating divisions publicly report the state and local amounts budgeted and expended for each category.
- Permit school divisions to use funds for support services to provide additional instructional services and include instructional services as a separate category to be reported publicly.

### **Issues for Further Study**

As resources become available, conduct a comprehensive study of the following complex funding issues and report the findings to the Governor and General Assembly for consideration as part of the 2010 review of the SOQ.

- The feasibility of converting the prevailing costs for each major category of the “support services” positions into ratios (for example, based on positions per 1,000 students), and including ratios for some or all of the categories in the appropriation act.
- The feasibility of establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs. This could include ratios based on positions per 1,000 students for assistant principals, school counselors, and library-media specialists that would reduce funding “cliffs.” It could also include assigning weights for students who may be at-risk and require additional support, including special education services, services to English language learners, and services to disadvantaged students.
- The feasibility of creating a special education incentive fund or other funding methodologies to mitigate the perverse incentive of reducing a school division’s special education funding when it mainstreams students with disabilities into general education classrooms or uses Response to Intervention (RtI) and/or other instructional supports to reduce the number of students identified as needing special education services.
- The feasibility of updating technology staffing ratios, taking into consideration the increased role of technology in instruction, assessment, and operations since staffing standards were first established in the SOQ.
- The feasibility of updating career and technical education staffing ratios, taking into consideration the (i.) implementation of new curricular pathways that require high-tech equipment and specialized instruction and (ii.) anticipated increased enrollments in CTE courses given the newly created standard technical and advanced technical diplomas.

## **Closing Statement by the Virginia Board of Education**

The Board of Education's priorities for action may be summed up as this: Our priorities are based upon a sincere expectation that every child will learn academic content at a high and challenging level, that any traditional excuses for failure will be swept off the table, and that assessments will be used to guide the next lesson as well as evaluate the previous one.

In uncovering key components of successfully run schools, research points to strong instructional leadership, a clear focus on academics, regular measures of academic progress, high-quality teaching, and good community and parent relations. The Board's priorities for action clearly address each of these factors.

The world in which we live—and certainly the one in which our children will live and work in the future—is constantly changing, constantly shifting. New technologies, higher level skills, and new ways of working emerge every day, and our schools must provide an education that promotes not just competence but *excellence*. Keeping our system of public schools on a steady course and continuing to deliver solid results despite huge challenges call for a keen sense of what is required to move from competence to excellence. It requires a steady focus on goals and on what needs to be our highest priority.

Education is the foundation for everything else we do, from economic development to health care. We are facing some difficult challenges today, but the key solution to these challenges remains the same: Be measured by strong academic standards, reach strong standards, and exceed strong standards. By doing so, young Virginians will surely lead the nation in educational progress. We are well on our way.

## **Appendices**

**Appendix A: Virginia Assessment Program Results: 2006-2007 through 2008-2009**

**Appendix B: Demographics of Virginia's Public Schools**

**Appendix C: List of School Divisions Reporting Full Compliance with the SOQ: 2008-2009**

**Appendix D. List of School Divisions Reporting Noncompliance with any Provision of the SOQ: 2008-2009**

**Appendix E: Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied: 2008- 2009**

**Appendix F: Standards of Quality, as Amended by the 2009 General Assembly**

## Appendix A: Virginia Assessment Program Results: 2006-2007 through 2008-2009 Reported by NCLB Subgroups

### Assessment Results by Subgroup

The Virginia Assessment Program includes Standards of Learning (SOL) tests and other statewide assessments in English, history/social science, mathematics, and science. The tables below provide information for the three most recent years on the achievement of students on these tests, including percentages of students who demonstrate proficiency and advanced proficiency. Annual accountability ratings are based on achievement during the previous academic year or combined achievement from the three most recent years. Only student subgroups represented are listed.

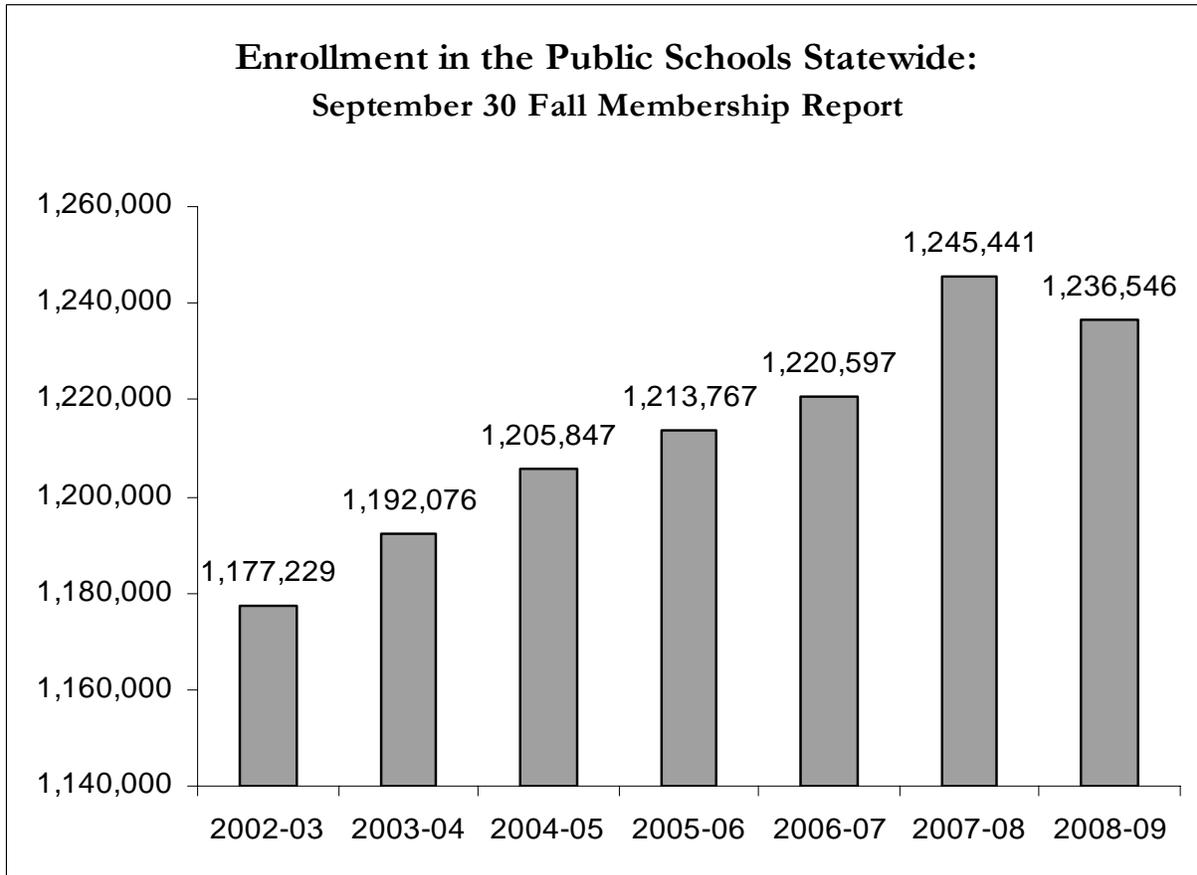
Schools, school divisions, and states are rated according to the progress toward the goals of the *No Child Left Behind Act of 2001* (NCLB). This federal law requires states to set annual benchmarks for achievement in reading and mathematics leading to 100 percent proficiency by 2014. Schools, school divisions, and states that meet or exceed all annual benchmarks toward this goal are rated as having made adequate yearly progress (AYP). Schools, school divisions, states must test at least 95 percent of students overall, and 95 percent of students in each of the following subgroups: white, black, Hispanic, students with disabilities, limited English proficient students, and students identified as disadvantaged. Annual accountability ratings are based on achievement during the previous academic year or combined achievement from the three most recent years.

Percentage of Students Passing/Tested/Not Tested										
Student Subgroup	Type	2006-2007			2007-2008			2008-2009		
		Passed	Tested	Not Tested	Passed	Tested	Not Tested	Passed	Tested	Not Tested
<b>English Performance</b>										
All Students	State	85	100	0	87	100	0	89	100	0
Black	State	76	99	1	78	99	1	81	100	0
Hispanic	State	72	99	1	81	100	0	85	100	0
White	State	90	100	0	91	100	0	93	100	0
Students with Disabilities	State	62	99	1	67	99	1	73	99	1
Economically Disadvantaged	State	73	99	1	77	99	1	81	100	0
Limited English Proficient	State	67	100	0	79	100	0	83	100	0
<b>Mathematics Performance</b>										
All Students	State	80	99	1	84	100	0	86	100	0
Black	State	68	99	1	73	99	1	77	99	1
Hispanic	State	71	99	1	75	99	1	79	99	1
White	State	85	100	0	88	100	0	90	100	0
Students with Disabilities	State	58	99	1	65	99	1	71	99	1
Economically Disadvantaged	State	67	99	1	73	99	1	77	99	1
Limited English Proficient	State	70	99	1	75	100	0	79	100	0
Key: < = A group below state definition for personally identifiable results - = No data for group * = Data not yet available										

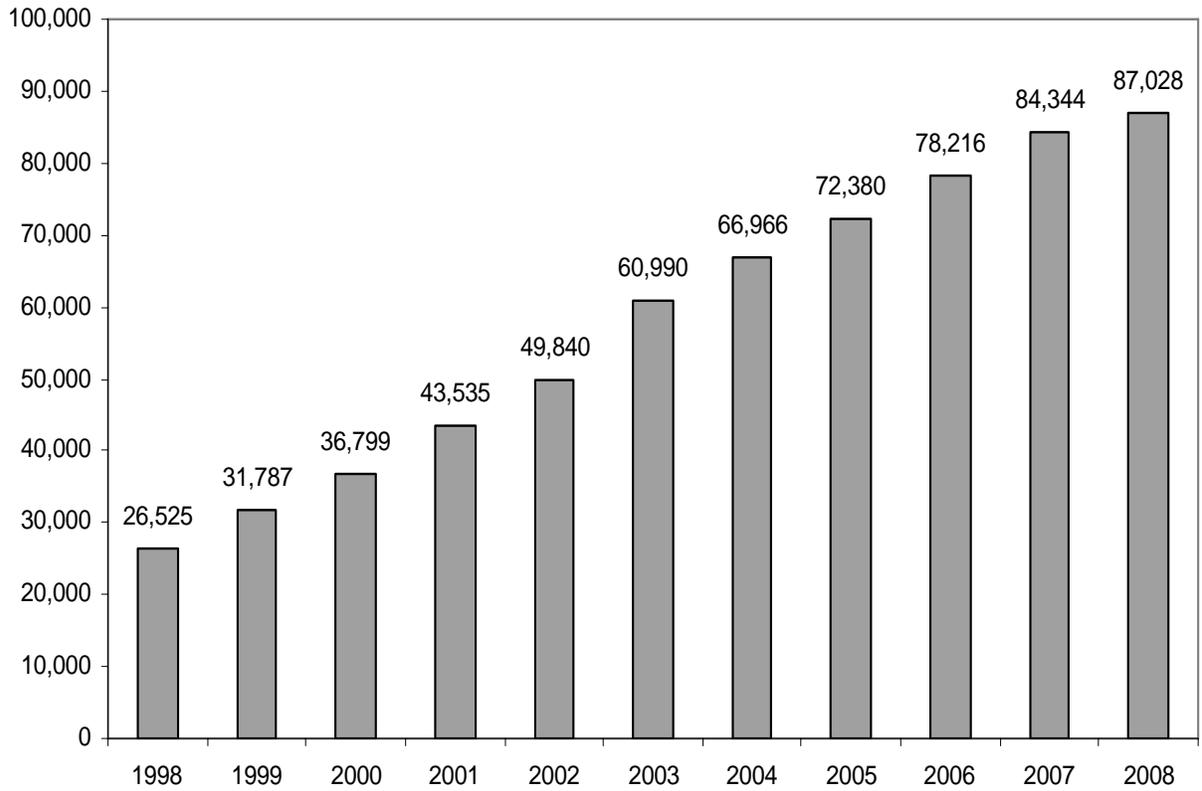
Other Academic Indicators							
Student Subgroup	Type	2006-2007		2007-2008		2008-2009	
		Passed	Tested	Passed	Tested	Passed	Tested
<b>Writing Performance</b>							
All Students	State	89	-	89	97	89	97
Black	State	82	-	82	96	83	96
Hispanic	State	82	-	83	90	83	90
White	State	92	-	92	98	92	98
Students with Disabilities	State	61	-	61	87	61	88
Economically Disadvantaged	State	80	-	79	93	80	94
Limited English Proficient	State	78	-	78	82	78	82
<b>History Performance</b>							
All Students	State	88	-	88	98	89	98
Black	State	77	-	79	98	81	98
Hispanic	State	77	-	79	94	82	95
White	State	90	-	92	99	93	99
Students with Disabilities	State	68	-	70	94	72	95
Economically Disadvantaged	State	74	-	77	97	80	97
Limited English Proficient	State	74	-	77	91	80	91
<b>Science Performance</b>							
All Students	State	88	-	88	98	89	99
Black	State	77	-	79	98	80	99
Hispanic	State	78	-	78	95	80	96
White	State	93	-	94	99	94	100
Students with Disabilities	State	67	-	69	95	69	98
Economically Disadvantaged	State	77	-	78	97	79	98
Limited English Proficient	State	73	-	74	93	76	94
Notes:							
Science Performance: the percentage of students passing science							
Key: < = A group below state definition for personally identifiable results							
- = No data for group							
* = Data not yet available							

## APPENDIX B:

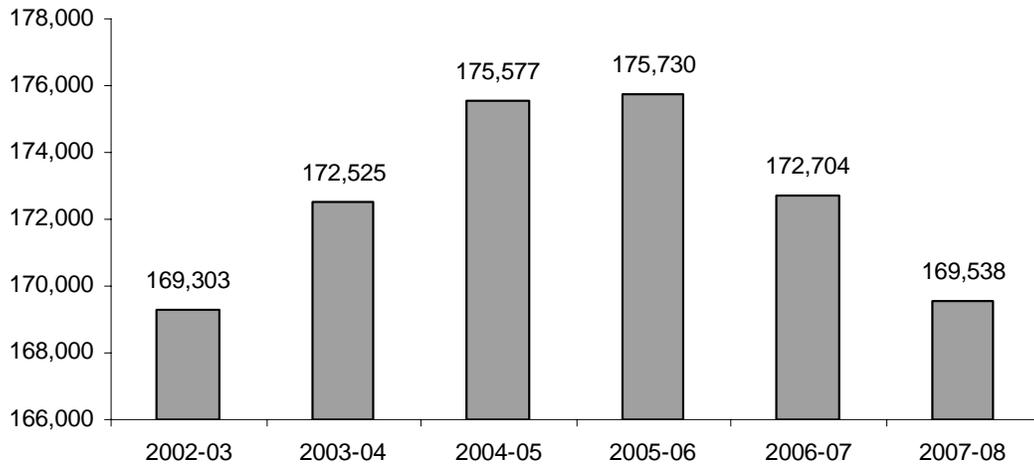
### Demographics of Virginia's Public Schools



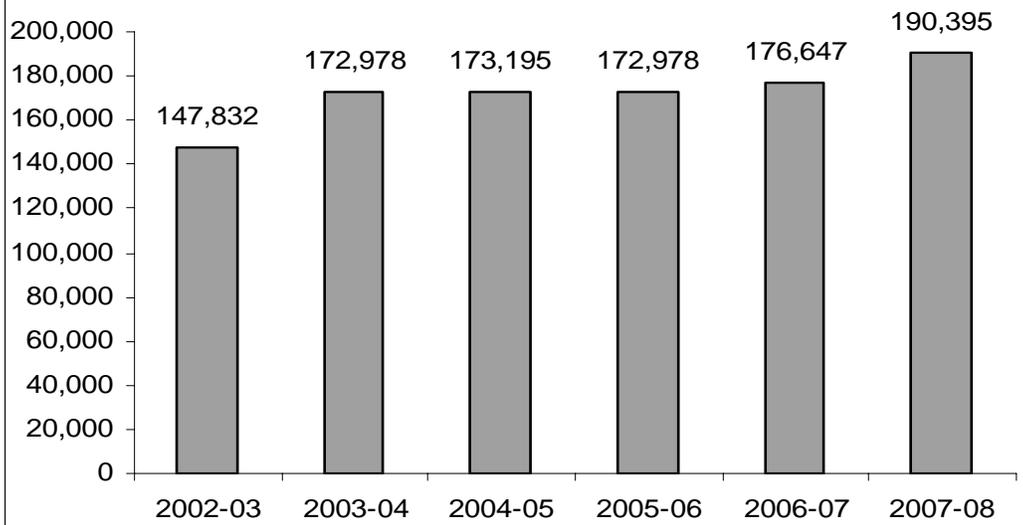
**Limited English Proficient Students  
Receiving Services in Virginia's Public Schools: 1993-2008**



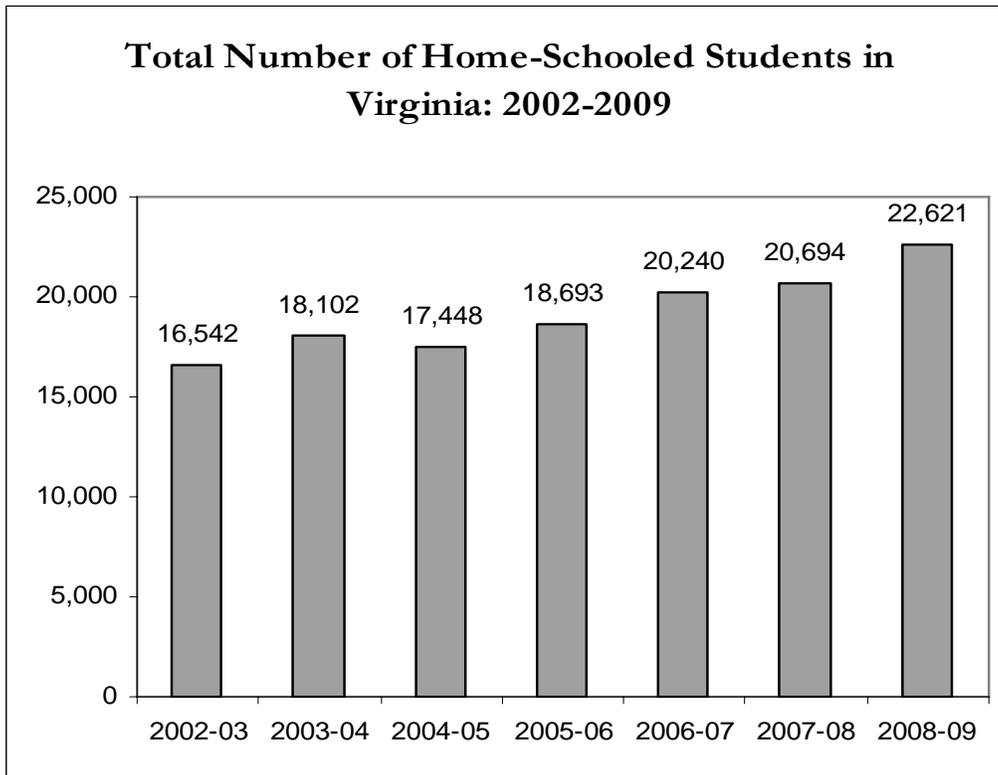
### Enrollment in Special Education Programs: 2001-2008



### Enrollment in Gifted Education Programs: 2002-2008



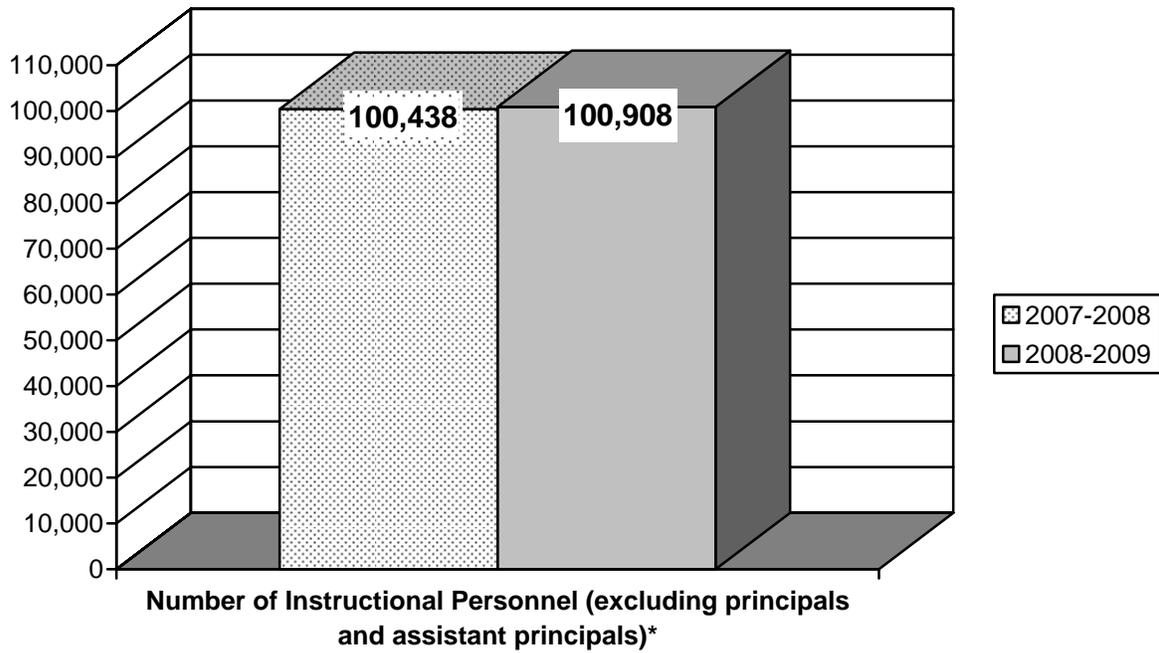
### Total Number of Home-Schooled Students in Virginia: 2002-2009



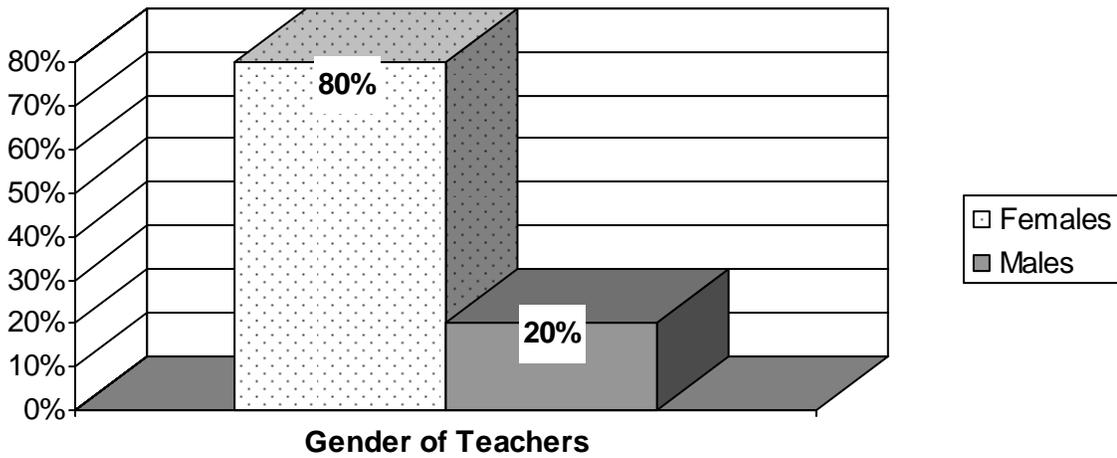
### Number and Percent of Students Eligible for Free and Reduced-Price Lunch Program

Year	Eligible Students	Percent of Statewide Enrollment
2001-2002	348,880	31.30 percent
2002-2003	362,477	31.81 percent
2003-2004	374,437	32.63 percent
2004-2005	387,554	33.48 percent
2005-2006	387,847	33.11 percent
2006-2007	394,860	33.49 percent
2008-2009	418,343	34.63 percent

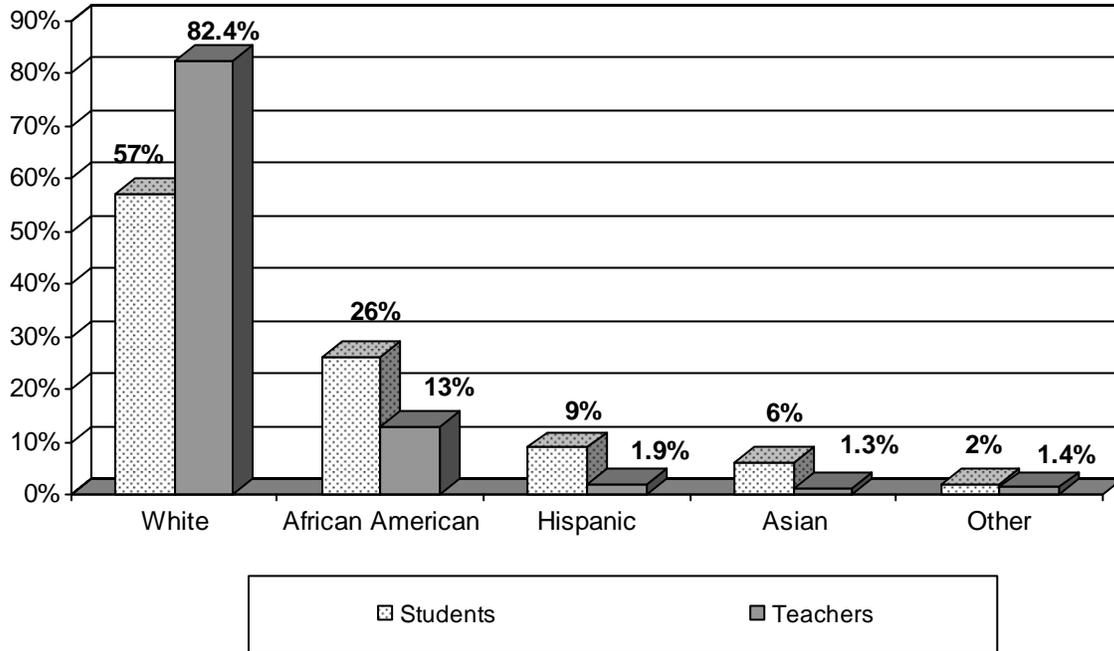
### Number of Instructional Personnel\*



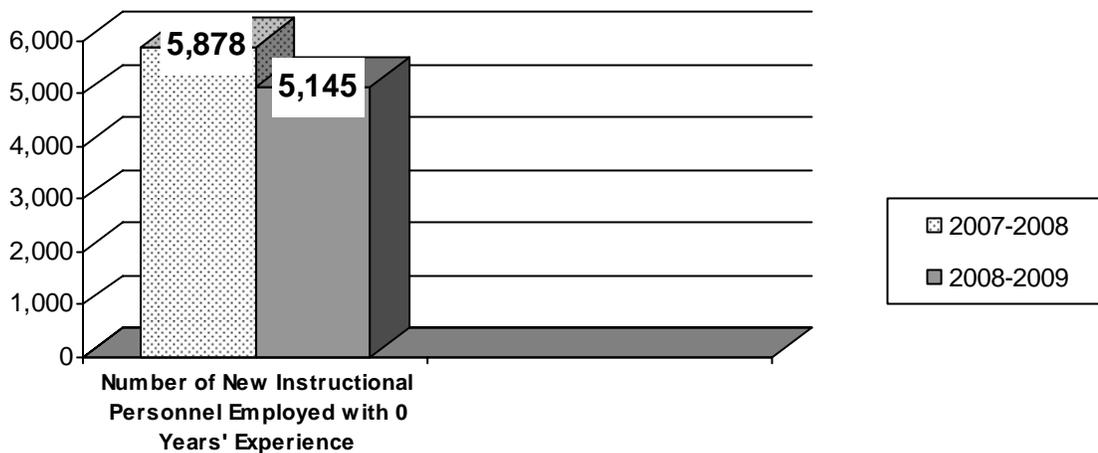
### Gender of Instructional Personnel in Virginia's Public Schools: 2008-2009



## Race/Ethnicity: Virginia Public Schools' Instructional Personnel and Students 2008-2009



### Number of New Instructional Personnel (Excluding Principals and Assistant Principals) Employed by Virginia School Divisions 2007-08 and 2008-09 (New instructional personnel are defined as having 0 years' teaching experience)



**General Fund (GF) Legislative Appropriations—  
Total State, Total K-12, Total Direct Aid to Public Education:  
FY 1995 through 2008**

Fiscal Year	Total GF Appropriation for Operating Expenses	Total K-12 GF Appropriation	Total K-12 GF Appropriation as a % of Total GF Operating	Total Direct Aid to Public Education GF Appropriation	Total Direct Aid to Public Education GF Appropriation as a % of Total GF Operating
1995	7,355,695,733	2,547,067,019	34.6%	2,514,736,974	34.2%
1996	7,597,249,960	2,686,990,223	35.4%	2,658,572,757	35.0%
1997	8,134,360,672	2,930,985,574	36.0%	2,895,766,099	35.6%
1998	8,715,476,981	3,082,072,592	35.4%	3,046,807,462	35.0%
1999	9,967,431,115	3,534,978,628	35.5%	3,489,301,374	35.0%
2000	11,093,396,991	3,720,945,765	33.5%	3,673,762,807	33.1%
2001	12,283,610,813	4,007,068,597	32.6%	3,942,411,254	32.1%
2002	12,013,820,347	3,959,806,011	33.0%	3,895,682,317	32.4%
2003	12,105,186,620	3,980,489,954	32.9%	3,923,268,185	32.4%
2004	12,370,158,175	4,129,120,033	33.4%	4,069,907,268	32.9%
2005	13,781,896,827	4,719,699,883	34.2%	4,653,203,619	33.8%
2006	15,111,251,632	5,071,605,259	33.6%	4,998,052,047	33.1%
2007	16,779,048,401	5,770,433,215	34.4%	5,695,619,782	33.9
2008	16,982,495,713	5,933,601,634	34.9%	5,859,840,675	34.5%

Notes:

(Total For Part 1: Operating Expenses) in the appropriation act.

"Total K-12 GF Appropriation" is the total legislative general fund appropriation for Department of Education Central Office, Direct Aid to Public Education, and the two schools for the deaf and the blind.

"Total Direct Aid GF Appropriation" is the total legislative general fund appropriation for Direct Aid to Public Education.

The general fund appropriation for Comprehensive Services Act (CSA) is deducted from the Direct Aid totals for FY 1995 and FY 1996 since CSA was appropriated within Direct Aid for those years but outside Direct Aid in subsequent years.

For FY 1997 through FY 2006, CSA appropriations are not included.

The Direct Aid appropriation for FY 1999 and FY 2000 includes \$55.0 million per year for school construction grants appropriated under Item 554 of Chapter 1072.

**APPENDIX C:**  
**Compliance with the Standards of Quality: 2008-2009**

**Divisions Reporting Full Compliance  
with All Provisions of the  
Standards of Quality for 2008-2009**

Accomack County  
Albemarle County  
Alleghany County  
Amelia County  
Appomattox County  
Augusta County  
Bland County  
Botetourt County  
Bristol City  
Buckingham County  
Campbell County  
Charles City County  
Charlotte County  
Charlottesville City  
Chesapeake City  
Clarke County  
Colonial Heights City  
Craig County  
Cumberland County  
Dinwiddie County  
Fauquier County  
Floyd County  
Fluvanna County  
Franklin County  
Frederick County  
Fredericksburg City  
Galax City

Giles County  
Gloucester County  
Goochland County  
Greene County  
Halifax County  
Harrisonburg City  
Henry County  
King George County  
King & Queen County  
Lancaster County  
Lee County  
Lexington City  
Louisa County  
Lunenburg County  
Madison County  
Manassas Park City  
Mathews County  
Mecklenburg County  
Middlesex County  
Montgomery County  
Nelson County  
New Kent County  
Northumberland County  
Norton City  
Nottoway County  
Orange County  
Page County  
Pittsylvania County

Poquoson City  
Powhatan County  
Prince Edward County  
Pulaski County  
Radford City  
Rappahannock County  
Richmond County  
Roanoke County  
Rockingham County  
Russell County  
Salem City  
Scott County  
Shenandoah County  
Smyth County  
Stafford County  
Staunton City  
Suffolk City  
Surry County  
Tazewell County  
Washington County  
Waynesboro City  
West Point  
Westmoreland County  
Williamsburg/James City  
Winchester City  
Wise County  
York County

**APPENDIX D:  
Divisions Reporting Noncompliance with Certain Provisions  
of the Standards of Quality for 2008-2009**

<b>§ 22.1-253.13:1 – Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.</b>			
<b>Division</b>	<b>2008-2009:</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Buchanan County	Reported noncompliance with SOQ requirement that “The school division requires students who fail all of the SOL tests at grades three through eight or who fail an end-of-course test required for the award of a verified credit to attend summer school or participate in another form of remediation.”	No	Yes

<b>§ 22.1-253.13:2 – Standard 2. Instructional, administrative, and support personnel.</b> Please note: The data collection for compliance with the Standards of Quality takes place during the spring of each year. A number of school divisions reported being out of compliance with the standard: “The school board employs licensed instructional personnel qualified in the relevant subject areas.” Given school division staffing patterns and turnover/vacancy issues, school divisions may be undertaking efforts to hire licensed instructional personnel in all areas but may not have completed all hiring processes or may be encountering difficulties with teacher shortages in certain areas.			
<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Arlington County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Bath County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Dickenson County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Essex County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	No	No
Grayson County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes

**§ 22.1-253.13:2 – Standard 2. Instructional, administrative, and support personnel.** Please note: The data collection for compliance with the Standards of Quality takes place during the spring of each year. A number of school divisions reported being out of compliance with the standard: “The school board employs licensed instructional personnel qualified in the relevant subject areas.” Given school division staffing patterns and turnover/vacancy issues, school divisions may be undertaking efforts to hire licensed instructional personnel in all areas but may not have completed all hiring processes or may be encountering difficulties with teacher shortages in certain areas.

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Greensville County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Hopewell City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Isle of Wight County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	No	Yes
King William County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Martinsville City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	Yes
Petersburg City	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	No
Warren County	Reported noncompliance with SOQ requirement that “The school board employs licensed instructional personnel qualified in the relevant subject areas.”	Yes	No
Buena Vista City	Reported noncompliance with SOQ requirement that “The school division employs the required minimum number of licensed, full-time equivalent instructional personnel per 1,000 students in ADM with state and local basic, special education, gifted, and career and technical education as set forth in the appropriation act.”	No	No

Division	2008-2009	Reported Noncompliance in 2007-2008	Reported Noncompliance in 2006-2007
Chesterfield County	Reported noncompliance with SOQ requirement that "The school board, annually, on or before January 1, reports to the public the actual pupil teacher ratios (excluding resource personnel) in elementary school classrooms by school for the current year. The board also reports the pupil/teacher ratio including resource teachers in the same report. The report includes identification of the schools but ensures confidentiality of all teacher and pupil identities."	No	No
Hanover County	Reported noncompliance with SOQ requirement that "The school board employs two full-time equivalent positions per 1,000 students in grades K-12, one who provides technology support and one who serves as an instructional technology teacher."	Yes	Yes

**§ 22.1-253.13:3 – Standard 3. Accreditation, other standards and evaluation.**

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Alexandria City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Amherst County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Bedford County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Brunswick County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Caroline County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Carroll County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Covington City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Danville City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Fairfax County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Franklin City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Grayson County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Hampton City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Henrico County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Highland County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Hopewell City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Isle of Wight County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	Yes
Loudoun County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	No
Lynchburg City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Manassas City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Newport News City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Norfolk City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Northampton County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Patrick County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Petersburg City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Portsmouth City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Prince George County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Prince William County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Richmond City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Roanoke City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Rockbridge County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Southampton County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Spotsylvania County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Sussex County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes
Virginia Beach City	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Warren County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	No	No
Wythe County	Reported noncompliance with the SOQ requirement that "All schools are fully accredited by the Board of Education."	Yes	Yes

**§ 22.1-253.13:4 – Standard 4.A.4. Student achievement and graduation requirements.**

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Culpeper County	Reported noncompliance with the SOQ requirement that “The school board notifies the parents of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.”	No	No
Prince William County	Reported noncompliance with the SOQ requirement that “The school board awards certificates of program completion to students who complete a prescribed course of study as defined by the school board when they do not meet the requirements for a standard, advanced studies, modified standard, or general achievement diploma.”	Yes	No
Portsmouth City	Reported noncompliance with the SOQ requirement that “The school board awards certificates of program completion to students who complete a prescribed course of study as defined by the school board when they do not meet the requirements for a standard, advanced studies, modified standard, or general achievement diploma.”	No	No

**§ 22.1-253.13:6 – Standard 6. Planning and Public Involvement.**

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2008</b>	<b>Reported Noncompliance in 2006-2007</b>
Culpeper County	Reported noncompliance with the SOQ provision that "The school board shall post such plan on the division's Internet website if practicable, makes a hard copy of the plan available for public inspection and copying, and conducts at least one public hearing to solicit public comment on the division wide plan."	No	No

**§ 22.1-253.13:7 – Standard 7. School board policies.**

<b>Division</b>	<b>2008-2009</b>	<b>Reported Noncompliance in 2007-2009</b>	<b>Reported Noncompliance in 2006-2007</b>
Covington City	Reported noncompliance with the SOQ provision that "A current copy of the school division policies, including the Student Conduct Policy, is posted on the division's website and is available to employees and to the public. The school board has ensured that printed copies of such policies are available as needed to citizens who do not have online access. You must include the URL where your division's policy manual is posted. Please include a specific address, not the home page of your division's website."	Yes	N/A

## Appendix E:

### **Divisions with All Schools Fully Accredited, Schools Granted Conditional Accreditation, Schools Rated Accredited with Warning, Schools Rated Accreditation Denied 2008- 2009**

In 117 of the Commonwealth's 132 school divisions, all schools are fully accredited, compared with 96 last year. Divisions with all schools fully accredited (other than new schools that automatically receive conditional accreditation) are:

Accomack County	Frederick County	Page County
Alleghany County	Fredericksburg	Patrick County
Amelia County	Galax	Pittsylvania County
Amherst County	Giles County	Poquoson
Appomattox County	Gloucester County	Portsmouth
Arlington County	Goochland County	Powhatan County
Augusta County	Greene County	Prince Edward County
Bath County	Greensville County	Prince George County
Bedford County	Halifax County	Pulaski County
Bland County	Hanover County	Radford
Botetourt County	Harrisonburg	Rappahannock County
Bristol	Henry County	Richmond County
Buchanan County	Highland County	Roanoke County
Buckingham County	Hopewell	Rockbridge County
Buena Vista	Isle of Wight County	Rockingham County
Campbell County	King George County	Russell County
Caroline County	King William County	Salem
Carroll County	King and Queen County	Scott County
Charles City County	Lancaster County	Shenandoah County
Charlotte County	Lee County	Smyth County
Charlottesville	Lexington	Southampton County
Chesapeake	Loudoun County	Spotsylvania County
Chesterfield County	Louisa County	Stafford County
Clarke County	Lunenburg County	Staunton
Colonial Beach	Lynchburg	Suffolk
Colonial Heights	Madison County	Surry County
Covington	Manassas	Tazewell County
Craig County	Manassas Park	Virginia Beach
Culpeper County	Martinsville	Warren County
Cumberland County	Mathews County	Washington County
Dickenson County	Mecklenburg County	Waynesboro
Dinwiddie County	Middlesex County	West Point
Essex County	Montgomery County	Westmoreland County
Fairfax County	Nelson County	Williamsburg-James City Co.
Falls Church	New Kent County	Winchester
Fauquier County	Newport News	Wise County
Floyd County	Northumberland County	York County
Fluvanna County	Norton	
Franklin	Nottoway County	
Franklin County	Orange County	

### **Schools Accredited with Warning**

The number of schools accredited with warning fell to 17, compared with 54 last year. Forty-eight schools that were on academic warning last year achieved full accreditation.

Albemarle County  
Alexandria City  
Brunswick County  
Danville City  
Grayson County  
Hampton City  
Henrico County  
Norfolk City  
Norfolk City  
Northampton County  
Prince William County  
Richmond City  
Richmond City  
Roanoke City  
Sussex County  
Wythe County  
Wythe County

Albemarle County Community Public Charter School  
Jefferson-Houston Elementary  
James S. Russell Middle  
Langston Focus School  
Fries Middle School  
Jane H. Bryan Elementary  
Highland Springs Elementary  
Lindenwood Elementary  
Ruffner Middle  
Kiptopeke Elementary  
Mills E. Godwin Middle  
E.S.H. Greene Elementary  
Fred D. Thompson Middle  
Westside Elementary  
Sussex Central Middle  
Fort Chiswell Middle  
Scott Memorial Middle

### **Schools Conditionally Accredited**

Six schools earned full accreditation after undergoing reconstitution and being conditionally accredited for one or more years. These schools are: Caroline Middle, Caroline County; New Bridge Alternative Middle, Henrico County; Westwood Middle, Danville; Brighton Elementary and Craddock Middle, Portsmouth; and Addison Aerospace Magnet Middle in Roanoke.

Under Virginia's accountability program, a school that has been on academic warning for three consecutive years and fails to meet state standards for a fourth consecutive year can apply to the Board of Education for conditional accreditation — if the local school board agrees to reconstitute the school's leadership, staff, governance or student population. A reconstituted school can retain conditional accreditation for up to three years if it is making acceptable progress toward meeting state standards.

Four schools were rated with conditional accreditation. These schools are:

- Lafayette Winona Middle and Northside Middle in Norfolk, given conditional accreditation for the first time; and
- Lake Taylor Middle in Norfolk and Thomas C. Boushall Middle in Richmond, given conditional accreditation for a third consecutive year.

### **Schools Rated Accreditation Denied**

Ellen W. Chambliss Elementary in Sussex County was denied accreditation after not meeting state standards despite reconstitution and three years of conditional accreditation.

Two Petersburg schools — J.E.B. Stuart Elementary and Peabody Middle — were denied accreditation for a fourth consecutive year. A third Petersburg school — Vernon Johns Junior High — was denied accreditation for the third year in a row.

The status of A.P. Hill Elementary in Petersburg, which was the subject of a Virginia Department of Education investigation of assessment irregularities, will be determined by the Board of Education tomorrow. The board will determine the status of William Fleming High School in Roanoke, which also was the subject of a VDOE inquiry of testing practices, at its October meeting

Fourteen newly opened schools are automatically rated as conditionally accredited for 2008-2009.

**Appendix G:**  
**2009 STANDARDS OF QUALITY**  
**Board of Education Recommendations to the 2010 Session of**  
**the Virginia General Assembly**

**Standards of Quality**  
**Proposed Legislative Changes**

**§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.**

A. The fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education fund that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning including problem solving and decision making; proficiency in the use of computers and related technology; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade three shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics, fluency, vocabulary development, and text comprehension.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

The Board of Education shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.

With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § 22.1-199.2.

D. Local school boards shall also implement the following:

1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.
2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.
3. Career and technical education programs incorporated into the K through 12 curricula that include:
  - a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
  - b. Career exploration opportunities in the middle school grades; and
  - c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.
4. Educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to § 22.1-200.03.
5. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.
6. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.
7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.
8. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.
9. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.
10. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.
11. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.
12. Early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.

*Local school divisions shall provide early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on a diagnostic test which has been approved by the Department of Education. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students.*

*Local school divisions shall also provide mathematics intervention services to students in grades 6, 7, 8 and 9 who are at risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on a diagnostic test which has been approved by the Department of Education. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.*

13. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

14. A program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the local school board. Each local school board shall incorporate into its local wellness policy a goal for the implementation of such program during the regular school year.

15. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

16. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.

**§ 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel.**

A. The Board shall establish requirements for the licensing of teachers, principals, superintendents, and other professional personnel.

B. School boards shall employ licensed instructional personnel qualified in the relevant subject areas.

C. Each school board shall assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher's aide shall be assigned to the class; (ii) 24 to one in grades one, two, and three with no class being larger than 30 students; (iii) 25 to one in grades four through six with no class being larger than 35 students; and (iv) 24 to one in English classes in grades six through 12.

*Within its regulations governing special education programs, the Board shall seek to set pupil/teacher ratios for pupils with mental retardation that do not exceed the pupil/teacher ratios for self-contained classes for pupils with specific learning disabilities.*

Further, school boards shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools. School divisions shall provide all middle and high school teachers with one planning period per day or the equivalent, unencumbered of any teaching or supervisory duties.

D. **1.** Each local school board shall employ with state and local basic **aid**, special education, gifted, and career and technical education funds a minimum **number** of **58** licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act. Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with the March 31 report of average daily membership, those school divisions offering half-day kindergarten with pupil/teacher ratios that exceed 30 to one shall adjust their average daily membership for kindergarten to reflect 85 percent of the total kindergarten average daily memberships, as provided in the appropriation act.

2. Each local school board shall employ licensed, full-time equivalent positions as necessary to comply with the following requirements for special education services **[for students requiring either Level I or Level II services. Level I services, means the provision of special education to children with disabilities for less than 50 percent of their instructional school day (excluding intermission for meals). Level II services, means the provision of special education and related services to children with disabilities for 50 percent or more of the instructional school day (excluding intermission for meals). The time that a child receives special education services is calculated on the basis of special education services described in the individualized education program, rather than the location of services.]**

Local school division caseload maximums as funded by the Virginia Appropriation Act

Disability Category	Level II		Level I
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the Time	
Autism	8	6	24
Deaf-blindness	8	6	
Developmental Delay: age 5-6	10	8	
Developmental Delay: age 2-5	8 Center-based 10 Combined	12 Home-based and/or Itinerant	
Emotional Disability	10	8	24
Hearing Impairment/Deaf	10	8	24
Learning Disability	10	8	24
Intellectual Disability	10	8	24
Multiple Disabilities	8	6	
Orthopedic Impairment	10	8	24
Other Health Impaired	10	8	24
Speech or Language Impairment	NA	NA	68 (Itinerant)
Traumatic Brain Injury	May be placed in any program, according to the Individualized Education Program.		
Combined group of students needing Level I services with students needing Level II services	20 Points (see values for students receiving Level I services when combined with students receiving Level II services)		

*Values for students receiving Level I services when combined with students receiving Level II services*

Disability Category	Level II Values		Level I
	With Paraprofessional 100% of the time	Without Paraprofessional 100% of the time	Values
Autism	2.5	3.3	1
Deaf-blindness	2.5	3.3	1
Developmental Delay: age 5-6	2.0	2.5	1
Emotional Disability	2.0	2.5	1
Hearing Impairment/Deaf	2.0	2.5	1
Learning Disability	2.0	2.5	1
Intellectual Disability	2.0	2.5	1
Multiple Disabilities	2.5	3.3	1
Orthopedic Impairment	2.0	2.5	1
Other Health Impairment	2.0	2.5	1
Traumatic Brain Injury	2.0	2.5	1

3. Local school boards shall employ one licensed, full-time equivalent position per 1,000 students in grades kindergarten through 12 for gifted education services.

4. Each local school board shall employ licensed, full-time equivalent positions in career and technical education necessary to comply with the following requirements:

a. Career and technical education laboratory classes that use equipment that has been identified by the U.S. Department of Labor for hazardous occupations shall be limited to a maximum of 20 students per laboratory.

b. Career and technical education courses approved for students who are disadvantaged shall be limited to an average of 15 students per instructor per class period with no class being more than 18.

c. Career and technical education courses approved for students with disabilities shall be limited to an average of 10 students per instructor per class period with no class being more than 12 or up to an average of 12 students per class period with no class being more than 15 where an instructional aide is provided.

d. Enrollments in career and technical education courses shall not exceed the number of individual work stations.

e. Career and technical education programs using the cooperative education method of instruction shall be limited to an average of 20 students per instructor per class period with no class being more than 24 where the cooperative education method of instruction is required, and shall have a class period assigned to the instructor for on-the-job coordination for each 20 students participating in on-the-job training.

E. In addition to the positions supported by basic aid and in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 who are identified as needing prevention, intervention, and remediation services. State funding for prevention, intervention, and remediation programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

*To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding and the required local matching funds, pursuant to § 22.1-253.13, paragraph D, 12, to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.*

F. In addition to the positions supported by basic aid and those in support of regular school year programs of prevention, intervention, and remediation, state funding, pursuant to the appropriation act, shall be provided to support 17 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency.

*To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the Standards of Quality Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the Standards of Quality staffing standard of 17 instructional positions per 1,000 limited English proficiency students. School divisions using the Standards of Quality Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.*

G. In addition to the full-time equivalent positions required elsewhere in this section, each local school board shall employ the following reading specialists in elementary schools, one full-time in each elementary school at the discretion of the local school board.

*To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding and the required local matching funds, pursuant to § 22.1-253.13, paragraph D, 12, to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.*

H. Each local school board shall employ, at a minimum, the following full-time equivalent positions for any school that reports fall membership, according to the type of school and student enrollment:

1. Principals in elementary schools, one half-time to 299 students, one full-time at 300 students; principals in middle schools, one full-time, to be employed on a 12-month basis; principals in high schools, one full-time, to be employed on a 12-month basis;
2. Assistant principals in elementary schools, one half-time at 600 students, one full-time at 900 students; assistant principals in middle schools, one full-time for each 600 students; assistant principals in high schools, one full-time for each 600 students.

*School divisions that employ a sufficient number of assistant principals to meet these staffing requirements may assign assistant principals to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary.*

3. Librarians in elementary schools, one part-time to 299 students, one full-time at 300 students; librarians in middle schools, one-half time to 299 students, one full-time at 300 students, two full-time at 1,000 students; librarians in high schools, one half-time to 299 students, one full-time at 300 students, two full-time at 1,000 students; *and*

4. Guidance counselors in elementary schools, one hour per day per 100 students, one full-time at 500 students, one hour per day additional time per 100 students or major fraction thereof; guidance counselors in middle schools, one period per 80 students, one full-time at 400 students, one additional period per 80 students or major fraction thereof; guidance counselors in high schools, one period per 70 students, one full-time at 350 students, one additional period per 70 students or major fraction thereof. ~~and~~

~~5. Clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.~~

I. Local school boards shall employ five full-time equivalent positions per 1,000 students in grades kindergarten through five to serve as elementary resource teachers in art, music, and physical education.

J. Local school boards shall employ two full-time equivalent positions per 1,000 students in grades kindergarten through 12, one to provide technology support and one to serve as an instructional technology resource teacher.

To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these Standards of Quality funds in this manner shall only employ instructional personnel licensed by the Board of Education.

K. Local school boards may employ additional positions that exceed these minimal staffing requirements. These additional positions may include, but are not limited to, those funded through the state's incentive and categorical programs as set forth in the appropriation act.

L. A combined school, such as kindergarten through 12, shall meet at all grade levels the staffing requirements for the highest grade level in that school; this requirement shall apply to all staff, except for guidance counselors, and shall be based on the school's total enrollment; guidance counselor staff requirements shall, however, be based on the enrollment at the various school organization levels, i.e., elementary, middle, or high school. The Board of Education may grant waivers from these staffing levels upon request from local school boards seeking to implement experimental or innovative programs that are not consistent with these staffing levels.

M. School boards shall, however, annually, on or before January 1, report to the public the actual pupil/teacher ratios in elementary school classrooms by school for the current school year. Such actual ratios shall include only the teachers who teach the grade and class on a full-time basis and shall exclude resource personnel. School boards shall report pupil/teacher ratios that include resource teachers in the same annual report. Any classes funded through the voluntary kindergarten through third grade class size reduction program shall be identified as such classes. Any classes having waivers to exceed the requirements of this subsection shall also be identified. Schools shall be identified; however, the data shall be compiled in a manner to ensure the confidentiality of all teacher and pupil identities.

N. Students enrolled in a public school on a less than full-time basis shall be counted in ADM in the relevant school division. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1, and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, social science, career and technical education, fine arts, foreign language, or health education or physical education course shall be counted in the ADM in the relevant school division on a pro rata basis as provided in the appropriation act. Each such course enrollment by such students shall be counted as 0.25 in the ADM; however, no such nonpublic or home school student shall be counted as more than one-half a student for purposes of such pro rata calculation. Such calculation shall not include enrollments of such students in any other public school courses.

O. Each local school board shall provide those support services that are necessary for the efficient and cost-effective operation and maintenance of its public schools.

For the purposes of this title, unless the context otherwise requires, "support services positions" shall include ~~services provided by the school board members; the superintendent; assistant superintendents; student services (including guidance counselors, social workers, and homebound, improvement, principal's office, and library media positions); attendance and health positions; administrative, technical, and clerical positions; operation and maintenance positions; educational technology positions; school nurses; and pupil transportation positions.~~ the following:

1. Executive policy and leadership positions, including school board members, superintendent, and assistant superintendents;
2. Fiscal and human resource positions, including fiscal and audit operations, human resources, and procurement;
3. Student support positions, which include:
  - a. Social workers and social work administrative positions;
  - b. Guidance administrative positions not included in paragraph H.4.;
  - c. Homebound administrative positions supporting instruction;
  - d. Attendance support positions related to truancy and drop-out prevention;
  - e. Health and behavioral positions, including school nurses and school psychologists;
4. Instructional personnel support, including professional development positions and library and media positions not included in H.3;
5. Technology professional positions not included in paragraph J;
6. Operation and maintenance positions, including facilities; pupil transportation positions; operation, and maintenance professional and service positions; security services, trades, and laborer positions;

7. *Technical and clerical positions, including fiscal and human resource technical/clerical, student support technical/clerical, instructional personnel support technical/clerical, operation and maintenance technical/clerical, administration technical/clerical, and technology technical/clerical positions;*
8. *School-based clerical personnel in elementary schools, part-time to 299 students, one full-time at 300 students; clerical personnel in middle schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students; clerical personnel in high schools, one full-time and one additional full-time for each 600 students beyond 200 students and one full-time for the library at 750 students.*

Pursuant to the appropriation act, support services shall be funded from basic school aid on the basis of prevailing statewide costs *unless the Standards of Quality specify a staffing standard.*

*School divisions may use the state and local funds for support services to provide additional instructional services.*

*Local school divisions shall report publicly the state and local amounts budgeted and expended for each category of support services listed above. Local school divisions shall also report publicly the amounts they received for support services that were used to provide additional instructional services.*

### **§ 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation.**

A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.

The Board shall review annually the accreditation status of all schools in the Commonwealth.

Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.

When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § 22.1-253.13:6.

With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall report the results of such academic review and the required annual progress reports in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.

B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.

The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.

C. With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.

In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The last administration of the cumulative grade eight history test will be during the 2007-2008 academic school year. Beginning with the 2008-2009 academic year, all school divisions shall administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics tests. The Board shall also provide the option of industry certification and state licensure examinations as a student-selected verified credit.

The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system.

The Board shall include in the student outcome measures that are required by the Standards for Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science.

In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers; (ii) select appropriate industry certification and state licensure examinations and (iii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.

The Standard of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to § 30-231.2, who is enrolled in a preparation program for the General Education Development (GED) certificate or in an adult basic education program to obtain the high school diploma.

The Board of Education may adopt special provisions related to the administration and use of any SOL test or tests in a content area as applied to accreditation ratings for any period during which the SOL content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such special provisions.

D. The Board of Education may pursue all available civil remedies pursuant to § 22.1-19.1 or administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of test materials or test results.

The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.

Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 12 of § 2.2-3705.3. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of

permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.

Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.

E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.

F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to all students for grade levels and courses identified by the Board of Education, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, industry certification examinations, and the Standards of Learning Assessments to the public.

The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § 22.1-254.1.

The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.

G. Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

#### **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation. Course credits earned for online courses taken in the Department of Education's Virtual Virginia program shall transfer to Virginia public schools in accordance with provisions of the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parents of rising eleventh and twelfth grade students of (i) the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the standards for accreditation and (ii) the remaining number and subject area requirements of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for a standard or advanced studies diploma of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, special, or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards for accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;

2. Establish the requirements for a standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine or performing arts or career and technical education and one credit in United States and Virginia history. The requirements for a standard high school diploma shall, however, include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;

3. Establish the requirements for a technical diploma. This diploma shall meet or exceed the requirements of a standard diploma and will include a concentration in career and technical education, as established in Board regulations. A student who meets the requirement for the advanced studies diploma who also fulfills a concentration in career and technical education shall receive an advanced technical diploma, or if he chooses, he shall receive an advanced studies diploma. The Board may develop or designate assessments in career and technical education for the purposes of awarding verified credit pursuant to subdivision 6;

4. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning for any required course have been integrated may take the relevant Standards of Learning test for the relevant required course and receive, upon achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the required course;

5. Establish a procedure to facilitate the acceleration of students that allows qualified students, with the recommendation of the division superintendent, without completing the 140-hour class, to obtain credit for such class upon demonstration of mastery of the course content and objectives. Having received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit.

6. Provide for the award of verified units of credit for passing scores on industry certifications, state licensure examinations, and national occupational competency assessments approved by the Board of Education.

School boards shall report annually to the Board of Education the number of industry certifications obtained, state licensure examinations passed, and the number of career and technical education completers that graduated. These numbers shall be reported as categories on the School Performance Report Card.

For the purposes of this subdivision, a "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program.

In addition, the Board may:

a. For the purpose of awarding verified units of credit, approve the use of additional or substitute tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry certifications or state licensure examinations; and

b. Permit students completing career and technical education programs designed to enable such students to pass such industry certification examinations or state licensure examinations to be awarded, upon obtaining satisfactory scores on such industry certification or licensure examinations, the appropriate verified units of credit for one or more career and technical education classes into which relevant Standards of Learning for various classes taught at the same level have been integrated. Such industry certification and state licensure examinations may cover relevant Standards of Learning for various required classes and may, at the discretion of the Board, address some Standards of Learning for several required classes.

E. In the exercise of its authority to recognize exemplary academic performance by providing for diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics and technology for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii) technology-related training; and (iv) industry, professional, and trade association national certifications.

The Board shall also establish criteria for awarding a diploma seal for excellence in civics education and understanding of our state and federal constitutions and the democratic model of government for the standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful completion of history, government, and civics courses, including courses that incorporate character education; (ii) voluntary participation in community service or extracurricular activities that includes the types of activities that shall qualify as community service and the number of hours required; and (iii) related requirements as it deems appropriate.

F. The Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

G. To ensure the uniform assessment of high school graduation rates, the Board shall collect, analyze, and report high school graduation and dropout data using a formula prescribed by the Board.

The Board may promulgate such regulations as may be necessary and appropriate for the collection, analysis, and reporting of such data.

**§ 22.1-253.13:5. Standard 5. Quality of classroom instruction and educational leadership.**

A. Each member of the Board of Education shall participate in high-quality professional development programs on personnel, curriculum and current issues in education as part of his service on the Board.

B. Consistent with the finding that leadership is essential for the advancement of public education in the Commonwealth, teacher, administrator, and superintendent evaluations shall be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Administrators, and Superintendents. Teacher evaluations shall include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations shall include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities.

C. The Board of Education shall provide guidance on high-quality professional development for (i) teachers, principals, supervisors, division superintendents and other school staff; (ii) administrative and supervisory personnel in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; (iii) school board members on personnel, curriculum and current issues in education; and (iv) programs in Braille for teachers of the blind and visually impaired, in cooperation with the Virginia Department for the Blind and Vision Impaired.

The Board shall also provide technical assistance on high-quality professional development to local school boards designed to ensure that all instructional personnel are proficient in the use of educational technology consistent with its comprehensive plan for educational technology.

D. Each local school board shall require (i) its members to participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; curriculum and instruction; use of data in planning and decision making; and current issues in education as part of their service on the local board and (ii) the division superintendent to participate annually in high-quality professional development activities at the local, state or national levels

E. Each local school board shall provide a program of high-quality professional development (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels; (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education; (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula, and (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel.

In addition, each local school board shall also provide teachers and principals with high-quality professional development programs each year in (i) instructional content; (ii) the preparation of tests and other assessment measures; (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives; (iv) instruction and remediation techniques in English, mathematics, science, and history and social science; (v) interpreting test data for instructional purposes; (vi) technology applications to implement the Standards of Learning; and (vii) effective classroom management.

F. Schools and school divisions shall include as an integral component of their comprehensive plans required by § 22.1-253.13:6, high-quality professional development programs that support the recruitment, employment, and retention of qualified teachers and principals. Each school board shall require all instructional personnel to participate each year in these professional development programs.

G. Each local school board shall annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

#### **§ 22.1-253.13:6. Standard 6. Planning and public involvement.**

A. The Board of Education shall adopt a statewide comprehensive, unified, long-range plan based on data collection, analysis, and evaluation. Such plan shall be developed with statewide participation. The Board shall review the plan biennially and adopt any necessary revisions. The Board shall post the plan on the Department of Education's website if practicable, and, in any case, shall make a hard copy of such plan available for public inspection and copying.

This plan shall include the objectives of public education in Virginia, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student achievement; an assessment of the extent to which these objectives are being achieved; a forecast of enrollment changes; and an assessment of the needs of public education in the Commonwealth. In the annual report required by § 22.1-18, the Board shall include an analysis of the extent to which these Standards of Quality have been achieved and the objectives of the statewide comprehensive plan have been met. The Board shall also develop, consistent with, or as a part of, its comprehensive plan, a detailed comprehensive, long-range plan to integrate educational technology into the Standards of Learning and the curricula of the public schools in Virginia, including career and technical education programs. The Board shall review and approve the comprehensive plan for educational technology and may require the revision of such plan as it deems necessary.

B. Each local school board shall adopt a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan shall be developed with staff and community involvement and shall include, or be consistent with, all other divisionwide plans required by state and federal laws and regulations. Each local school board shall review the plan biennially and adopt any necessary revisions. Prior to the adoption of any divisionwide comprehensive plan or revisions thereto, each local school board shall post

such plan or revisions on the division's Internet website if practicable, and, in any case, shall make a hard copy of the plan or revisions available for public inspection and copying and shall conduct at least one public hearing to solicit public comment on the divisionwide plan or revisions.

The divisionwide comprehensive plan shall include, but shall not be limited to, (i) the objectives of the school division, including strategies for first improving student achievement, particularly the achievement of educationally at-risk students, then maintaining high levels of student achievement; (ii) an assessment of the extent to which these objectives are being achieved; (iii) a forecast of enrollment changes; (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations; (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions; (vi) a plan for implementing such regional programs and services when appropriate; (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the school division's career and technical education programs, consistent with, or as a part of, the comprehensive technology plan for Virginia adopted by the Board of Education; (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan; (ix) any corrective action plan required pursuant to § 22.1-253.13:3; and (x) a plan for parent and family involvement to include building successful school and parent partnerships that shall be developed with staff and community involvement, including participation by parents.

A report shall be presented by each school board to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

C. Each public school shall also prepare a comprehensive, unified, long-range plan, which the relevant school board shall consider in the development of its divisionwide comprehensive plan.

D. The Board of Education shall, in a timely manner, make available to local school boards information about where current Virginia school laws, Board regulations and revisions, and copies of relevant Opinions of the Attorney General of Virginia may be located online.

**§ 22.1-253.13:7. Standard 7. School board policies.**

A. Each local school board shall develop policies and procedures to address complaints of sexual abuse of a student by a teacher or other school board employee.

B. Each local school board shall maintain and follow up-to-date policies. All school board policies shall be reviewed at least every five years and revised as needed.

C. Each local school board shall ensure that policies are developed giving consideration to the views of teachers, parents, and other concerned citizens and addressing the following:

1. A system of two-way communication between employees and the local school board and its administrative staff whereby matters of concern can be discussed in an orderly and constructive manner;
2. The selection and evaluation of all instructional materials purchased by the school division, with clear procedures for handling challenged controversial materials;
3. The standards of student conduct and attendance and enforcement procedures designed to provide that public education be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights;
4. School-community communications and community involvement;
5. Guidelines to encourage parents to provide instructional assistance to their children in the home, which may include voluntary training for the parents of children in grades K through three;
6. Information about procedures for addressing concerns with the school division and recourse available to parents pursuant to § 22.1-87;
7. A cooperatively developed procedure for personnel evaluation appropriate to tasks performed by those being evaluated; and
8. Grievances, dismissals, etc., of teachers, and the implementation procedure prescribed by the General Assembly and the Board of Education, as provided in Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, and the maintenance of copies of such procedures.

D. A current copy of the school division policies, required by this section, including the Student Conduct Policy, shall be posted on the division's website and shall be available to employees and to the public. School boards shall ensure that printed copies of such policies are available as needed to citizens who do not have online access.

E. An annual announcement shall be made in each division at the beginning of the school year and, for parents of students enrolling later in the academic year, at the time of enrollment, advising the public that the policies are available in such places.

**§ 22.1-253.13:8. Compliance.**

The Standards of Quality prescribed in this chapter shall be the only standards of quality required by Article VIII, Section 2 of the Constitution of Virginia.

Each local school board shall provide, as a minimum, the programs and services, as provided in the Standards of Quality prescribed above, with state and local funds as apportioned by the General Assembly in the appropriation act and to the extent funding is provided by the General Assembly.

Each local school board shall report its compliance with the Standards of Quality to the Board of Education annually. The report of compliance shall be submitted to the Board of Education by the chairman of the local school board and the division superintendent.

Noncompliance with the Standards of Quality shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § 22.1-18.

As required by § 22.1-18, the Board of Education shall submit to the Governor and the General Assembly a report on the condition and needs of public education in the Commonwealth and shall identify any school divisions and the specific schools therein that have failed to establish and maintain schools meeting the existing prescribed Standards of Quality.

The Board of Education shall have authority to seek school division compliance with the foregoing Standards of Quality. When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.



informed states that the graduation rate and supporting evidence will be peer reviewed by a panel of outside experts in February 2010.

### **Summary of Major Elements**

Revisions are being proposed to several critical elements in the Consolidated State Application Accountability Plan. The statutory authority that permits states to request, and the U. S. Secretary of Education to approve, waivers to requirements in NCLB is found in Section 9401 of the federal law:

“SEC. 9401. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

- (a) IN GENERAL – Except as provided in subsection (c), the Secretary may waive any statutory agency, Indian tribe, or school through a local educational agency, that –
- (1) receives funds under a program authorized by this act; and
  - (2) requests a waiver under subsection (b).”

Virginia’s proposed amendments fall under five areas: 1) calculating Adequate Yearly Progress (AYP) targets; 2) extending flexibility in AYP calculations for students with disabilities (SWD); 3) identifying Annual Measurable Achievement Objectives (AMAOs) for limited English proficient (LEP) students; 4) adjusting the requirements for AMAO 1, making progress, and AMAO 2, proficiency for LEP students; and 5) setting and reporting graduation rates and targets for continuous improvement. Attachment A describes each proposed amendment and the rationale for the proposed request.

### **Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education accept for first review the proposed amendments to the Virginia Consolidated State Application Accountability Plan.

### **Impact on Resources:**

The provisions of the ESEA require the Department of Education to collect and analyze data related to determining Adequate Yearly Progress (AYP) for all schools and school divisions in the state as well as to collect and report additional data on English language proficiency for LEP students. These requirements will continue to have an impact on the agency’s resources.

### **Timetable for Further Review/Action:**

The proposed amendments will be presented for final review at the January 2010 Board of Education meeting. Final approval of the amendments will be requested at this meeting to meet the USED deadline of January 15, 2010, for submission of amendments for review and approval by USED.

## Attachment A

### Proposed Amendments to Virginia’s Consolidated State Application Accountability Plan as Required by the *No Child Left Behind Act of 2001 (NCLB)*

November 17, 2009

#### NCLB Statutory Authority for Amendment Requests:

“SEC. 9401. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

- (b) IN GENERAL – Except as provided in subsection (c), the Secretary may waive any statutory agency, Indian tribe, or school through a local educational agency, that –
- (1) receives funds under a program authorized by this act; and
  - (2) requests a waiver under subsection (b).”

#### 1. Calculating Adequate Yearly Progress (AYP) Targets (Critical Element 3.2b)

**Request:** As allowable under Title I regulations issued November 26, 2002, annual measurable objectives can be reevaluated and adjusted periodically. Virginia will revise the annual proficiency targets (annual measurable objectives) for reading and mathematics to hold the targets at 81 percent for reading and 79 percent for mathematics for Adequate Yearly Progress (AYP) calculations for the 2010-2011 school year based on assessments administered in 2009-2010. However, in order to make AYP without safe harbor for the 2010-2011 school year based on assessments administered in 2009-2010, the pass rates for state, divisions, and schools would have to exceed the 2008-2009 targets of 81 percent for reading and 79 percent for mathematics. For example, a school with a pass rate of 81.1 percent for reading would meet the target for reading while a school with a pass rate of 81 percent would not.

The chart below reflects the revised AYP targets.

#### Revised NCLB AYP Targets (Annual Measurable Objectives)

<u>Year of Test Administration</u>	<u>Reading</u>		<u>Mathematics</u>	
	<u>%Prof Current</u>	<u>%Prof Revised</u>	<u>%Prof Current</u>	<u>%Prof Revised</u>
<u>2001-02</u>	<u>60.7</u>	<u>60.7</u>	<u>58.4</u>	<u>58.4</u>
<u>2002-03</u>	<u>61</u>	<u>61</u>	<u>59</u>	<u>59</u>
<u>2003-04</u>	<u>61</u>	<u>61</u>	<u>59</u>	<u>59</u>
<u>2004-05</u>	<u>65</u>	<u>65</u>	<u>63</u>	<u>63</u>
<u>2005-06</u>	<u>69</u>	<u>69</u>	<u>67</u>	<u>67</u>
<u>2006-07</u>	<u>73</u>	<u>73</u>	<u>71</u>	<u>71</u>
<u>2007-08</u>	<u>77</u>	<u>77</u>	<u>75</u>	<u>75</u>
<u>2008-09</u>	<u>81</u>	<u>81</u>	<u>79</u>	<u>79</u>
<u>2009-10</u>	<u>85</u>	<u>&gt; 81*</u>	<u>83</u>	<u>&gt; 79*</u>

\*School divisions and the state exceed the established target will be considered to have made AYP.

**Rationale:** Virginia recently adopted revised content standards in the area of mathematics

and is currently in the process of revising the reading content standards. Once new tests measuring the revised standards for reading and mathematics are implemented, in 2012 for mathematics and in 2013 for reading, Virginia plans to submit amendments to the accountability workbook to reflect the use of an index model to more accurately reflect student growth. Until the new tests are implemented and the necessary data to implement an index model using them are available, Virginia is proposing to hold the AYP targets at the 2008-2009 level, but only allow those schools and divisions that have made progress beyond the 2008-2009 targets to make AYP. These targets of 81 percent in reading and 79 percent in mathematics already exceed the state accreditation targets in both of these subject areas.

## ***2. Assessing Students with Disabilities – Use of Two Percent Proxy (Critical Element 5.3)***

**Request:** Virginia will continue to implement the United State’s Secretary of Education’s Transition Option Number 1 (2 percent proxy) for the inclusion of students with disabilities in the calculation of Adequate Yearly Progress (AYP) for the 2010-2011 school year, based on assessments administered to those students during the 2009-2010 school year. Option Number 1 permits states to make a mathematical adjustment to the proficiency rate for the students with disabilities subgroup in schools or divisions that failed to make AYP based solely on the scores of students in that subgroup. The proxy will be calculated in accordance with guidance disseminated by USED on May 10, 2005.

**Rationale:** In past years The U.S. Secretary of Education has allowed the use of a proxy for students with disabilities for states that are working toward developing modified achievement standards if certain eligibility conditions are met. Virginia meets the eligibility requirements as follows: 1) the statewide assessment participation rate for students with disabilities for the purpose of measuring AYP is 95 percent; 2) Virginia is in compliance with the Individuals with Disabilities Education Act (IDEA); 3) appropriate accommodations on statewide assessments are available for students with disabilities; 4) targeted and successful statewide technical assistance efforts are being implemented to improve students’ achievement for students with disabilities; 5) Virginia’s assessment system has received a rating of “Approval with Recommendations”; and 6) Virginia is making substantial progress in developing an alternate assessment based on modified achievement standards. Therefore, Virginia is requesting a continuation of the use of the proxy for certain students with disabilities under this extension.

## ***3. Annual Measurable Achievement Objectives for Limited English Proficient (LEP) students (Consolidated State Application September 1, 2003 Submission)***

**Request:** Virginia will set the Annual Measurable Achievement Objective (AMAO) for English language proficiency as 15 percent for the 2009-2010 school year. Virginia requests a waiver from setting the AMAO for progress until the state has data from two administrations of the statewide English Language Proficiency (ELP) assessment, Assessing Comprehension and Communication in English State by State (ACCESS) for English Language Learners (ELLs).

**Rationale:** In September 2007, the Virginia Board of Education approved the ACCESS for ELLs as the statewide ELP assessment to meet the requirement in Section 1111(b)(7) of the *No Child Left Behind Act of 2001(NCLB)* for implementation in the 2008-2009 school year. Prior to the 2008-2009 school year, the Stanford English Language Proficiency (SELP)

assessment or a locally developed and/or selected ELP assessment were the Board-approved ELP assessments administered in the state. The change in the statewide ELP assessments has presented a need to analyze the data and set new AMAOs.

The methodology outlined in the Wisconsin Center for Education Research (WCER) Working Paper No. 2008-2, Issues in the Development of Annual Measurable Achievement Objectives for WIDA Consortium States, as well as the data from the 2008-2009 administration of ACCESS for ELLs, were used to set the proposed AMAO for proficiency. Working Paper No. 2008-2 recommends that states determine the starting point for the AMAO for proficiency at the 20<sup>th</sup> percentile. Although 2008-2009 is the first year of implementation of the ACCESS for ELLs, the AMAO for proficiency was set at 15 percent, or the 50<sup>th</sup> percentile, to account for 6 years of implementation of statewide ELP assessments and standards. The 15 percent target represents the number of ELLs that were reported as proficient out of the total number of ELLs for the 2008-2009 school year. The proficiency calculation will be made based on the total number of ELLs as is required by the Federal Register Notice of Final Title III Interpretations, November 17, 2008. Previously USED allowed Virginia to report the number of proficient ELL students out of the number of ELLs who were on monitor status. Students on monitor status are close to achieving English Language proficiency but their progress is being monitored for one to two years.

The United States Department of Education (USED) granted Virginia a waiver from calculating progress for the 2008-2009 school year since data were not available from two administrations of the ACCESS for ELLs. Virginia is requesting a waiver from setting the AMAO for progress for the 2009-2010 school year until data from two administrations of the ACCESS for ELLs are available. AMAO targets for future years will be proposed once data are analyzed.

<b>Annual Measurable Achievement Objectives (AMAOs) for Limited English Proficient (LEP) Students Expressed as Percents</b>		
<b>School Year</b>	<b>Percent of All LEP Students Making Progress</b>	<b>Percent of All LEP Students Attaining English Language Proficiency</b>
2009-2010	<u>Waiver Requested</u>	<u>15</u>
2010-2011	TBD	TBD
2011-2012	TBD	TBD
2012-2013	TBD	TBD
2013-2014	TBD	TBD

**4. Adjusting the Requirements for AMAO 1, Making Progress, for LEP students and AMAO 2, Proficiency for LEP students, (Consolidated State Application September 1, 2003 Submission)**

**Request:** Adjust the requirements for AMAO 1, making progress in learning English for LEP students, and for AMAO 2, proficiency in learning English for LEP students, to represent only the student assessment results on the ACCESS for ELLs. Prior to the release of the USED Notice of Final Title III Interpretation, November 18, 2008, Virginia was approved to allow school divisions to report LEP student progress and proficiency as measured by a body of

evidence that included the state-approved English Language Proficiency (ELP) assessment results as well as other evidence. The Notice of Final Title III Interpretation requires that states allowing a body of evidence ensure that the additional measures included in the body of evidence met certain psychometric requirements.

**Rationale:** The USED Final Title III Interpretation, November 18, 2008, require states to demonstrate that all of the assessments used to measure English language proficiency meaningfully measure student progress and proficiency in each language domain and, overall, are valid and reliable measures of student progress and proficiency in English. The ACCESS for ELLs meets the above described criteria whereas the additional measures of English language proficiency allowed through a body of evidence do not meet the above described criteria.

***5. Reporting graduation rates, section 1111(h) of ESEA updated to comply with § 200.19 of federal regulations issued in October 2008.***

**Request:** Virginia will report the federally prescribed cohort graduation rates for students who graduate in four-, five, and six years in accordance with the formula prescribed in federal regulations issued on October 29, 2008. The federal graduation indicators defined in regulation are based on cohorts of students adjusted for students who transfer in, transfer out, or are deceased; the regulations do not permit states to adjust for certain students such as English language learners and students with disabilities who may require more time to graduate. Virginia will prepare reports that provide the information prescribed in the final regulations and information on the number of cohort students (for the state, school divisions, and schools, by subgroup) who: are still enrolled in school; earn alternative completion credentials; drop out; or are on long-term leave of absence. Similar reports that rely on the state definition of an adjusted cohort may be found at:  
[http://www.doe.virginia.gov/VDOE/src/ontime\\_grad\\_rate.shtml](http://www.doe.virginia.gov/VDOE/src/ontime_grad_rate.shtml).

To be consistent with the longitudinal student tracking required for the cohort graduation rate, Virginia will define LEP students based on their status from the first time they enter the cohort. Students who meet the federal definition of limited English proficiency for purposes of state, division, and school accountability at any time since first entering a federally defined cohort will be included in longitudinal cohort graduation rate reported to meet federal requirements.

Virginia will include in the federal cohort graduation rate indicator all diplomas that require a minimum number of prescribed courses that are aligned with state content standards (the Standards of Learning) and require students to participate in and pass state-approved assessments. Currently, this would exclude from the reported rate the Virginia Board of Education-approved Special Diploma, the General Achievement Diploma (GAD) and other recognized completion credentials including the General Education Development Certificate (GED) and the locally awarded Certificate of Program Completion.

Virginia will include summer graduates in the federal graduation rate. Data for summer graduates are not available at the time of AYP determinations. As such, the data reported in any given year will be based on the previous year's graduates. Report cards will be updated when the data become available.

**Rationale:** In October 2008, the US Department of Education issued final amended regulations governing programs administered under Part A of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. ESEA as amended requires states to report graduation rates for public secondary school students. Federal regulations as amended in October 2008 prescribe the method for calculating a cohort graduation rate. Final regulations do not permit students to have their cohort adjusted, and require that data be disaggregated by subgroups.

Beginning with the 2004-2005 school year, Virginia's statewide longitudinal data system included unique identifiers for all students who were enrolled in Virginia public schools. Using data from this system, Virginia is able to calculate a four-year adjusted cohort graduation rate consistent with those prescribed in federal regulations at the school, school division, and state level, disaggregated by subgroup, beginning with the graduating class of 2008. We propose to amend the accountability workbook to report graduation rates consistent with the adjusted cohort graduation rate prescribed in the amended regulations. The rate will include all diplomas that require a minimum number of prescribed courses that are aligned with state content standards (the Standards of Learning) and that require students to participate in and pass state-approved assessments to graduate.

We propose to amend the accountability workbook such that for purposes of reporting graduation rates, English language learners who meet the federal definition of limited English proficient (LEP) at any time since first entering the adjusted cohort will be included in the LEP student subgroup. This would include all students identified as LEP for calculating the pass rates for federal accountability, *and* students who were identified as LEP at anytime since first entering ninth grade or otherwise transferring into the adjusted cohort. Virginia's educators are committed to educating all students. Students who were identified as LEP in the early years of high school but are no longer part of the LEP subgroup when they graduate have benefitted from the instruction that our schools provide; the reporting should reflect our schools' and students' commitment and success.

Data required to calculate the federal graduation rate are not available at the time of determining adequate yearly progress and updating school report cards. Therefore, we will include the prior years' graduation rate on report cards issued in the summer, and update report cards when final data become available.

**6. Annual Measurable Objectives for Graduation Rate (Critical Element 3.2b) and Targets for Continuous and Substantial Improvement (§200.19 (b)(3)(i).)**

**Request:** To provide consistency for Virginia's high schools, and consistent with Section 9401 of the Elementary and Secondary Education Act, Virginia requests waivers from certain provisions of CFR §200.19 and requests that for purposes of making AYP determinations, the Commonwealth be approved to use the Graduation and Completion Index (GCI) as adopted into state regulation by the Virginia Board of Education as the other academic indicator for schools with a graduating class. In adopting the GCI requirement as part of the regulations governing state school accreditation, the state Board required schools to earn a GCI of 85 or higher to be fully accredited. This benchmark is proposed as the statewide goal consistent with §200.19 (b)(3)(i).

Virginia proposes to establish targets for continuous and substantial improvements toward

meeting the statewide goal of 85 by applying a calculation that requires schools to increase their index by a percent reduction in their non-completer rate.<sup>1</sup> The following calculations will be applied to the index to determine whether the state, school divisions, schools, and subgroups that do not meet the statewide goal of 85 have made continuous and substantial improvement:

State, division, school, or subgroup index score	Methodology for determining target for substantial and continuous improvement
75 ≤ Index < 85	Target = ((100-last year's index)*0.05) + last year's index
Index < 75	Target = ((100-last year's index)*0.10) + last year's index

For purposes of calculating AYP for the LEP subgroup, we propose to apply a definition of LEP students that is consistent with the longitudinal nature of the accountability measure. English language learners who meet the federal definition of LEP at anytime since first entering the adjusted cohort will be included in the LEP student subgroup for purposes of accountability. This would include all students identified as LEP for calculating the pass rates for federal accountability, *and* students who were identified as LEP at anytime since first entering ninth grade or otherwise transferring into the adjusted cohort. Virginia's educators are committed to educating all students. Students who were identified as LEP in the early years of high school but are no longer part of the LEP subgroup when they graduate have benefitted from the instruction that our schools provide; our accountability system should reflect their commitment and successes.

Because the complete data on student graduation and completion rates, including summer graduates, are not available until after adequate yearly progress determinations are announced each year, Virginia will calculate adequate yearly progress based on the previous year's graduation and completion index. This will permit the calculations to be available in time to make AYP determinations before the beginning of the school year.

**Rationale:**

AYP Determinations

In 2009, the Virginia Board of Education adopted a regulatory requirement that requires all schools with a graduating class to meet a minimum pass rate on end-of-course assessments *and* a minimum index score on a prescribed graduation and completion index to be fully accredited under the state's accountability system. The Board-approved GCI results in a weighted percentage of students who graduate from high school with a Board of Education-approved diploma or who earn alternative completion credentials from each high school. Under the state accountability system, all schools with a graduating class will be held accountable for meeting or exceeding a GCI of 85 beginning with the graduating class of 2011.

The GCI is calculated by following each cohort of students for four or more years, starting with the year that students first enter ninth grade or when students first transfer into the cohort. Consistent with federal regulations permitting accountability measures to include the four-year

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<sup>1</sup> The non-completer rate will be defined based on the weighted formula used to calculate the index. It will be the inverse of the index score.

and extended graduation rates, the GCI cohort includes students who graduate in four years and students who require more time to graduate from high school. The index results in a weighted percentage based on the following points awarded according to student status:

- Graduate with a diploma – 100 points in the graduation year
- Earn a GED certificate – 75 points
- Remain in school beyond expected cohort graduation year – 70 points
- Earn a certificate of completion – 25 points

Use of the GCI offers schools incentives to continue to support students who require more than four years to graduate by giving them points for students who stay in school beyond their four-year (or “expected”) graduation year, and by giving schools full credit when such students earn diplomas. This aspect of the policy is consistent with recent research showing that late graduates fare better in many aspects of life than GED earners or dropouts, including employment outcomes, involvement in civic life, and commitment to healthy lifestyles (Hull, 2009). The index also incorporates the alternative completion credentials recognized in Virginia, the GED certificate and the Certificate of Program Completion, but gives them less weight than a high school diploma—substantially less weight than the minimum index of 85 that is required for full accreditation. Including alternative credentials in an accountability system is consistent with research showing that compared to students who drop out, students who earn alternative completion credentials have better short- and long- term employment outcomes (Kienzi & Kena, 2006; Boesel, Alsalam, & Smith, 1998).

#### Defining the LEP subgroup as it relates to accountability for high school graduation

Virginia is proposing to include students who enter high school as English language learners but leave high school without this designation in the LEP subgroup for making AYP determinations. Currently, all of Virginia’s subgroups established for federal accountability are based on the students’ most recent status. That is, students are included in the subgroup if they are identified in the group at the end of the reporting period. However, English language learners are dynamic; students move in and out of the subgroup school based on instructional need. Schools should be recognized for successfully transitioning students out of LEP status and supporting persistence to graduation. Therefore, we propose to include in the LEP subgroup all students defined as part of the status group *and* students who were identified as being LEP students at anytime since they first entered the cohort.

#### Virginia data will lag by one year

Because the complete data on student graduation and completion rates, including summer graduates, are not available until after AYP determinations are made, Virginia will calculate AYP based on the previous year’s GCI. This will permit the calculations to be available in time to make AYP determinations before the beginning of the school year

#### **References**

Boesel, D., Alsalam, N. & Smith, T.M. (1998). *Research synthesis: Educational and labor market performance of GED recipients*. Washington, D.C.: U.S. Department of Education.

Hull, J. (2009). Better late than never? Examining late high school graduates. Center for Public Education. Retrieved May 6, 2009.

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Kienzi, G. & Kena, G. (2006). *Issue brief: Economic outcomes of high school completers and noncompleters 8 years later*. U.S. Department of Education, NCES 2007-019. Washington, D.C. National Center for Education Statistics, U.S. Department of Education.

# Board of Education Agenda Item

Item: J.

Date: November 17, 2009

**Topic:** First Review of the Advisory Board on Teacher Education and Licensure's Recommended Passing Score for the *School Leaders Licensure Assessment (SLLA)*

**Presenter:** Mrs. Patty S. Pitts, Assistant Superintendent for Teacher Education and Licensure

**Telephone Number:** (804) 371-2522

**E-Mail Address:** Patty.Pitts@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
 Board of Education regulation  
 Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: January 2010 (date)

## Previous Review/Action:

No previous board review/action

Previous review/action  
date \_\_\_\_\_  
action \_\_\_\_\_

## Background Information:

The 2004 General Assembly approved *House Bill 573*, [Section 22.1-298, *Code of Virginia*] that stated, in part, the following:

D. ... the Board's licensure regulations shall also require that, on and after July 1, 2005, initial licensure for principals and other school leaders, as may be determined by the Board, be contingent upon passage of the *School Leader's Licensure Assessment*.

On November 17, 2004, the Board of Education approved a passing score of 165 for the *School Leaders Licensure Assessment (SLLA)* as a requirement for all individuals seeking an initial administration and supervision endorsement authorizing them to serve as principals and assistant principals in the public schools. The effective date for implementing the passing score was July 1, 2005.

Section 22.1-298.1(E) of the *Code of Virginia* states, “The Board's regulations shall require that initial licensure for principals and assistant principals be contingent upon passage of an assessment as prescribed by the Board.” Section 8VAC20-22-590 of the *Licensure Regulations for School Personnel (effective September 21, 2007)* states that individuals seeking endorsement in administration and supervision preK-12 through the approved program route as well as an alternate route satisfy the requirements for the school leaders licensure assessment prescribed by the Board of Education. Individuals seeking an initial administration endorsement who are interested in serving as central office instructional personnel are not required to take and pass the school leaders assessment prescribed by the Board of Education. The *School Leaders Licensure Assessment* administered by Educational Testing Service is the prescribed assessment.

As part of the test regeneration process, the Educational Testing Service has completed a major revision of the *SLLA*. The changes to the assessment were significant and required completion of a standard setting study and the approval of a passing score for the revised assessment.

Although the revised *SLLA* was administered in other states beginning in September 2009, the implementation was delayed in Virginia to allow sufficient time for a state-specific standard setting study and the setting of a passing score for the assessment. A special administration of the former version of the test was held on Saturday, October 17, 2009, to allow Virginia candidates one final time to take this version. Administration of the revised *SLLA* will begin in Virginia in January 2010.

### **Summary of Major Elements**

A Virginia standard setting study was conducted on March 24 and 25, 2009, for the revised *SLLA*. The Educational Testing Service (ETS) conducted the standard setting study on behalf of the Virginia Department of Education (VDOE) for the *SLLA*, which will be administered in Virginia for the first time in January 2010. A detailed summary of the study -- *Standard Setting Report-- School Leaders Licensure Assessment (SLLA) -- March 24-25, 2009 -- Richmond, Virginia*, is attached (Appendix A) and includes information regarding participants, methodology, and recommendations.

In addition to the Virginia specific study, the Educational Testing Service also conducted two multi-state standard setting studies on April 21 and 22, 2009, in Baltimore, Maryland, and on May 12 and 13, 2009, in St. Louis, Missouri. Seventeen states participated in the two panels. On Panel I, 23 school leaders and college faculty from 16 states participated. On Panel II, 23 school leaders and college faculty participated from 15 states. The results of these studies, including the passing scores recommended by the multi-state panels, are attached (Appendix B).

The purposes of the studies were to (a) recommend the minimum *SLLA* score judged necessary to award the endorsement in administration and supervision and (b) confirm the importance of the *SLLA* content specifications for entry-level school leaders in Virginia.

The revised assessment is designed to measure whether entry-level school leaders have the knowledge believed necessary for competent professional practice. The content of the assessment was defined by a National Advisory Committee of expert practitioners and preparation faculty and confirmed by a national survey of the field. The content of the revised assessment is aligned with the *Educational Leadership Policy Standards: ISSLC 2008*.

The four-hour assessment is divided into two separately timed sections:

- Section I (2 hours 20 minutes) – 100 multiple choice questions (80 operational and 20 pre-test); and
- Section II (1 hour 40 minutes) – Seven constructed-response questions calling for written answers based on scenarios and sets of documents that an education leader might encounter. Candidates are required to analyze situations and data, to propose appropriate courses of action, and to provide rationales for their proposal.

Candidate scores on the two sections are weighted such that Section I contributes 70 percent of the overall *SLLA* score and Section II contributes 30 percent. The total number of raw points that may be earned on the *SLLA* is 114 (80 points from the multiple choice section and approximately 34 points from the constructed-response section). The reporting scale for the *SLLA* ranges from 100 to 200 scaled points. A detailed description of the test is provided in the *Test at a Glance* document in Appendix C.

Prospective school leaders will be required to pay a fee for test administration and reporting results to the Virginia Department of Education. The cost for the assessment has been reduced from \$480 to \$375, including a \$50 nonrefundable registration fee.

The process used in the Virginia standard setting study is detailed in Appendix A. The panel recommended a cut score of 67.24. The next highest whole number is 68 and is considered the functional recommended cut score. The value of 68 represents approximately 60 percent of the total available 114 raw points that could be earned on the *SLLA*. The scaled score associated with 68 raw points is 154.

A similar process was used in the multi-state standard setting studies as described in Appendix B. The cut score recommendations for the *SLLA* were 74.41 for Panel I and 76.16 for Panel II. These numbers were also rounded to the next highest whole number to determine the functional recommended cut scores of 75 for Panel I and 77 for Panel II. The values of 75 and 77 represent approximately 66 percent and 68 percent, respectively, of the total available 114 raw points that could be earned on the *SLLA*. The scaled scores associated with 75 and 77 raw scores are 162 and 164, respectively.

The recommended cut scores and Standard Error of Measurement (SEM) from the Virginia standard setting study and the two multi-state studies are provided on the following page. The SEM is a statistical phenomenon and is unrelated to the accuracy of scoring. All test results are subject to the standard error of measurement. If a test-taker were to take the same test repeatedly, with no change in his level of knowledge and preparation, it is possible that some of the resulting scores would be slightly higher or lower than the score that precisely reflects the test takers actual level of knowledge and ability. The difference between a test taker's actual score or his highest or lowest hypothetical score is known as the Standard Error of Measurement.

The Standard Error of Measurement for the recommended cut scores for the Virginia Standard Setting Study and the multi-state studies are shown below. [Note: Consistent with the recommended cut score, the cut scores at the different SEMs have been rounded to the next highest whole number.]

**Cut Scores within 1 and 2 SEMs of the Recommended Cut Score – Virginia Study**

Recommended Cut Score	68	Scale Score Equivalent	154
-2 SEMs	58		143
-1 SEM	63		149
+1SEM	74		161
+2 SEMs	79		167

**Cut Scores within 1 and 2 SEMs of the Recommended Cut Score – Multi-State Study (Panel I)**

Recommended Cut Score	75	Scale Score Equivalent	162
-2 SEMs	65		151
-1 SEM	70		156
+1SEM	81		169
+2 SEMs	86		175

**Cut Scores within 1 and 2 SEMs of the Recommended Cut Score – Multi-State Study (Panel II)**

Recommended Cut Score	77	Scale Score Equivalent	164
-2 SEMs	68		154
-1 SEM	73		160
+1SEM	82		170
+2 SEMs	87		176

The Advisory Board on Teacher Education and Licensure (ABTEL) reviewed the studies and cut scores established by other states (Appendix D) at its September 21, 2009, meeting. The members decided to delay making a recommendation for a cut score until the November 16, 2009, ABTEL meeting in order to review candidates’ scores from the first national administration of the *SLLA* (Appendix E). The recommendation of ABTEL will be presented to the Board of Education on November 17, 2009. The Board of Education will set the final cut score for the revised *SLLA* assessment.

**Superintendent's Recommendation:**

The Superintendent of Public Instruction recommends that the Board of Education receive the Advisory Board on Teacher Education and Licensure’s recommendation for a passing score on the *School Leaders Licensure Assessment (SLLA)*.

**Impact on Resources:**

Costs associated with the administration of the *School Leaders Licensure Assessment (SLLA)* will be incurred by the Educational Testing Service. Prospective school leaders will be required to pay a fee for test administration and reporting results to the Virginia Department of Education. The cost for the revised *SLLA* assessment is \$375, including a nonrefundable \$50 registration fee.

**Timetable for Further Review/Action:**

This agenda item will be presented to the Board of Education for final approval at the January 14, 2010, meeting.

APPENDIX A

*Standard Setting Report*  
*School Leaders Licensure Assessment (SLLA)*  
*March 24-25, 2009*  
*Richmond, Virginia*

# Standard Setting Report

## School Leaders Licensure Assessment (SLLA)

March 24 - 25, 2009  
Richmond, Virginia

Conducted by  
Educational Testing Service  
Princeton, New Jersey

# School Leaders Licensure Assessment (SLLA)

## STANDARD SETTING

### *Introduction*

A standard setting study was conducted on March 24-25 for the School Leaders Licensure Assessment (SLLA) used to award an Administrative Services Credential in Virginia. Educational Testing Service (ETS) conducted the standard setting study on behalf of the Virginia Department of Education (VDOE) for the revised version of the SLLA, which will be administered in Virginia for the first time in January 2010.

The purposes of the study were to (a) recommend the minimum SLLA score judged necessary to award an Administrative Services Credential and (b) confirm the importance of the SLLA content specifications for entry-level school (education) leaders in Virginia. The Office of Teacher Education and Licensure (in the VDOE) will submit the standard setting panel's recommended passing score, or cutscore, to the Advisory Board on Teacher Education and Licensure (ABTEL) for consideration. The ABTEL will forward a recommendation to the Virginia State Board of Education (VSBE); the VSBE sets the final, operational cutscore on the SLLA.

### *School Leaders Licensure Assessment*

The purpose and structure of the SLLA are described in the School Leaders Licensure Assessment *Test at a Glance* (ETS, in press). In brief, the assessment measures whether entry-level school (education) leaders have the knowledge believed necessary for competent professional practice. The content of the assessment was defined by a National Advisory Committee of expert practitioners and preparation faculty and confirmed by a national survey of the field. The content is aligned with the Interstate School Leaders Licensure Consortium (ISLLC) Standards for School Leaders.

The four-hour SLLA is divided into two separately timed sections:

- **Section I** (2 hours 20 minutes) – 100 multiple-choice questions (80 operational and 20 pre-test).
- **Section II** (1 hour 40 minutes) – Seven constructed-response questions calling for written answers based on scenarios and sets of documents that an education leader might encounter. Candidates are required to analyze situations and data, to propose appropriate courses of action, and to provide rationales for their proposals.

Candidate scores on the two sections are weighted such that Section I contributes 70% of the overall SLLA score and Section II contributes 30%. The total number of raw points that may be earned on the

SLLA is 114 (80 points from the multiple-choice section and approximately 34 points from the constructed-response section). The reporting scale for the SLLA ranges from 100 to 200 scaled points.

### ***Committee Members***

A panel of 15 experts in school leadership participated in the standard-setting study. The Office of Teacher Education and Licensure recruited panelists to represent a range of professional perspectives, including principals, assistant principals and university faculty. Table 1 presents the demographic characteristics of the 15 panelists. In brief, eight panelists were principals, two were assistant principals, and five were college faculty. Nine panelists were White, five were African American, and one was Native American. Six panelists were female. All panelists reported being certified school leaders in Virginia. Twelve panelists had between 4 and 11 years of experience as a building-level administrator or central office supervisor. (See Appendix A for a list of the panelists.)

### ***Process and Method***

#### **Prior to the Panel Meeting**

The panelists were sent an e-mail explaining the purpose of the standard-setting study and the planned agenda (Appendix B), and requesting that they review the test content specifications for the SLLA (included in the *SLLA Test at a Glance*, which was attached to the e-mail). The purpose of the review was to familiarize the panelists with the general structure and content of the assessment.

#### **During the Panel Meeting**

The standard-setting study began with a welcome and introduction by Dr. James Lanham, Director of Licensure, of the VDOE's Office of Teacher Education and Licensure. Dr. Richard Tannenbaum, a director of research from ETS, then explained how the SLLA was developed, provided an overview of standard setting, and presented the agenda for the study. Dr. Tannenbaum served as the lead facilitator for the standard-setting meeting.

The first activity was for the panelists to "take the test." (Each panelist had signed a nondisclosure form.) The panelists were given approximately two hours to respond to the multiple-choice questions and to sketch responses to the constructed-response questions. The panelists had access to the answer key for the multiple-choice questions and access to both the general and question-specific rubrics for the constructed response questions. The purpose of "taking the test" was for the panelists to become familiar with the test format, content and its difficulty.

The panelists then engaged in a discussion of the major content areas being addressed by the SLLA; they were also asked to remark on any questions that they thought would be particularly challenging for entering school leaders, and questions that addressed content that would be particularly important for entering school leaders.

Following this discussion, the panelists defined the Just Qualified Candidate (JQC). The JQC is the test taker who has the minimum level of skills believed necessary to be a qualified building-level administrator or central office supervisor in Virginia. The JQC definition is the operational definition of the cutscore. The goal of the standard-setting process is to identify the test score that aligns with this definition of the JQC. The panelists were split into three groups of five and each group was asked to write down its definition of a JQC. Each group referred to the Interstate School Leaders Licensure Consortium (ISLLC) 2008 standards and the SLLA *Test at a Glance* to guide their definition. Each group posted its definition on chart paper and a full-panel discussion occurred to reach consensus on a final definition (Appendix C).

The standard-setting process for the SLLA was conducted for the overall test, though one standard-setting approach was implemented for Section I (multiple-choice questions) and another approach was implemented for Section II (constructed-response questions). The recommended passing score for the SLLA is the weighted sum of the interim cutscores recommended by the panelists for each section. These approaches are described next, followed by the results of the standard-setting study.

**Standard Setting for Section I (Multiple-Choice Questions).** A probability-based Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006) was used for Section I (multiple-choice questions). In this approach, for each question, a panelist decides on the likelihood (probability or chance) that a JQC would answer it correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that a JQC would answer the question correctly, because the question is difficult for the JQC. The higher the value, the more likely it is that a JQC would answer the question correctly. The panelists were asked to approach the judgment process in two stages. First, they reviewed the definition of the JQC and the question and decided if, overall, the question was difficult for the JQC, easy for the JQC, or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rule of thumb to guide their decision:

- difficult questions for a JQC were in the 0 to .30 range;
- easy questions were in the .70 to 1 range; and
- moderately difficult/easy questions were in the .40 to .60 range.

The second decision was for panelists to decide how they wanted to refine their judgment within the range. For example, if a panelist thought that a question was easy for a JQC, the initial decision located the question in the .70 to 1 range. The second decision was for the panelist to decide if the likelihood of answering it correctly was .70, .80, .90, .95, or 1.0. The two-stage decision-process was implemented to reduce the cognitive load placed on the panelists. The panelists practiced making their standard-setting judgments on the first three questions.

The panelists engaged in three rounds of judgments. The Round 1 feedback provided to the panel included each panelist's (listed by ID number) recommended cutscore for the section and the panel's average recommended cutscore, highest and lowest cutscore, and standard deviation. Following discussion, the panelists' judgments were displayed for each question. The panelists' judgments were summarized by the three general difficulty levels (0 to .30, .40 to .60, and .70 to 1) and the panel's average question judgment was provided. Questions were highlighted to show when panelists converged in their judgments (10 of 15 located a question in the same difficulty range) or diverged in their judgments. Panelists were asked to share their rationales for the judgments they made. Following this discussion, panelists were provided an opportunity to change their question-level standard-setting judgments (Round 2). This process was repeated for the Round 2 judgments to inform their final (Round 3) judgments.

**Standard Setting for Section II (Constructed-Response Questions).** An Extended Angoff method (Cizek & Bunch, 2007; Hambleton & Plake, 1995) was used for Section II (constructed-response questions). In this approach, for each question, a panelist decides on the assigned score value that would most likely be earned by a JQC. The basic process that each panelist followed was first to review the definition of the JQC that was agreed upon and then to review the question and the rubrics (general and specific) for that question. The general rubric for a question defines holistically the quality of the evidence that would merit a response earning a 3 (*thorough understanding*), 2 (*basic/general understanding*), 1 (*limited understanding*), or 0 (*little or no understanding*). Each question-specific rubric provides examples of evidence that would support earning a 3, 2, 1, or 0. During this review, each panelist independently considered the level of knowledge and/or skill required to respond to the question and the features of a response that would earn 3, 2, 1, or 0 points, as defined by the rubrics.

A test taker's response to a constructed-response question is independently scored by two raters, and the sum of the raters' scores is the assigned score<sup>1</sup>; possible scores, therefore, range from zero (both raters assigned a score of zero) to six (both raters assigned a score of three). Each panelist decided on the score most likely to be earned by a JQC from the following possible values: 0, 1, 2, 3, 4, 5, 6. A score of 3, for example, would mean that a panelist thought that a JQC would most likely earn between a 1 and a 2 from the two raters. A 5 would mean that a JQC would most likely earn between a 2 and a 3 from the two raters. For each of the seven constructed-response questions, panelists recorded the score (0 through 6) that a JQC would most likely earn.

The Section II (constructed-response questions) score is weighted to contribute 30% of the total test score; the Section I (multiple-choice question) score is weighted to contribute 70%. The facilitator explained the reason and process for weighting the contributions of the two sections to the panel. The

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<sup>1</sup> If the two raters' scores differ by more than one point (non-adjacent), the Chief Reader for that question assigns the score, which is then doubled.

feedback to the panelists, described next, included both their judgments before and after the weightings so they could more easily see the relationship between their explicit standard-setting judgments (pre-weighting) and the post-weighting values used to compute the recommended cutscore.

Consistent with the standard-setting process used for Section I, the panelists engaged in three rounds of judgments for Section II. After each round, the judgments of each panelist were summarized and projected for the panel to see and discuss. Each panelist's recommended cutscore for Section II was displayed as was the panel's average recommended cutscore, highest and lowest cutscore, and standard deviation. The panelists' judgments also were displayed for each question. The panelists participated in a general discussion of the results. Panelists were asked to share their rationales for the judgments they made. Following this discussion, panelists were provided an opportunity to change their question-level standard-setting judgments.

### **Judgment of SLLA Content Specifications**

Following the three-round standard setting process, panelists judged the importance of the knowledge and/or skills stated or implied in the SLLA content specifications for the job of an entry-level school leader in Virginia. These judgments addressed the perceived content-based validity of the SLLA. Judgments were made using a four-point Likert scale — *very important*, *important*, *slightly important*, and *not important*. The panel first judged the importance of the first content category— *Vision and Goals* — and its three sub-categories. As a group, the panel discussed their judgments and were allowed to revise their judgments following the discussion. The panel independently judged the remaining categories and sub-categories.

## ***Results***

### **Initial Evaluation Forms**

The panelists completed two initial evaluation forms, once after they were trained in how to make their standard-setting judgments for Section I (multiple-choice questions), and once after they were trained to make their judgments for Section II (constructed-response questions). The primary information collected from these forms was the panelists indicating if they had received adequate training to make their standard-setting judgments and were ready to proceed. All 15 panelists indicated that they were prepared to make their judgments.

### **Summary of Standard Setting Judgments by Round**

Tables 2 through 4 present a summary of each round of standard-setting judgments for Section I (multiple-choice questions), Section II (constructed-response questions) and the overall test, respectively. The numbers in each table reflect the recommended cutscore—the number of raw points needed to “pass” the section or test—of each panelist for each of the three rounds. Note that the SLLA reports a single,

overall score and that the panel will be recommending a single cutscore for the weighted composite of Sections I and II. The separate “cutscores” for the two sections is an intermediate step in calculating the overall cutscore. For Section II, both the direct standard-setting judgments (“Raw Score”) and the weighted judgments (“Wt. Cutscore”) are presented. The panel’s average recommended cutscore and highest and lowest cutscores are reported, as are the standard deviation (SD) of panelists’ cutscores and the standard error of judgment (SEJ). The SEJ is one way of estimating the reliability of the judgments. It indicates how likely it would be for other panels of educators similar in make-up, experience, and standard-setting training to the current panel to reach the same cutscore. A comparable panel’s cutscore would be within 1 SEJ of the current average cutscore 68 percent of the time and within 2 SEJs 95 percent of the time.

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 and Round 3 judgments, however, are informed by panel discussion; thus, it is common to see a decrease both in the standard deviation and SEJ. This decrease — indicating convergence among the panelists’ judgments — was observed for the SLLA.

The Round 3 average score for each section is summed to arrive at the SLLA recommended cutscore (passing score). It should be noted, however, that separate Section I and Section II scores are not reported for the SLLA; only an overall score is reported. Therefore, there is no required minimum section score that must be obtained in order to pass the SLLA. The total test cutscore is compensatory, in that as long as the total SLLA cutscore is met or exceeded, the candidate has passed. The panels’ cutscore recommendation for the SLLA is 67.24 (see Table 4); because this value is greater than 67, the next highest whole number, or 68, is considered the functional recommended cutscore. This value of 68 represents approximately 60% of the total available 114 raw points that could be earned on the SLLA. The scaled score associated with 68 raw points is 154<sup>2</sup>.

Table 5 presents the standard error of measurement (SEM) around the recommended cutscore of 68 points. A standard error represents the uncertainty associated with a test score. The scaled scores associated with 1 and 2 SEMs are provided. The standard error provided is an estimate, given that the SLLA has not yet been administered.

## Summary of Specification Judgments

Panelists judged the extent to which the knowledge and/or skills reflected by the SLLA content specifications were important for entry-level school leaders in Virginia. Panelists rated the six content categories and their accompanying sub-categories, on a four-point scale ranging from *very important* to *not important*. The panelists’ ratings are summarized in Table 6. Overall, the majority of panelists (93%

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<sup>2</sup> For reference purposes, if the recommended raw cutscore were 67 points, the scaled score would be 153.

or greater) judged all six content categories to be either *very important* or *important* for entry-level school leaders in Virginia. In particular, panelists judged *Vision and Goals*, *Teaching and Learning*, and *Ethics and Integrity* to be *very important*. A majority of panelists (80% or greater) also judged each of the sub-categories to be *very important* or *important*. Three panelists, nonetheless, rated the *Maximizing Community Resources* and *Professional Influence* sub-categories as *slightly important*.

## **Final Evaluations**

The panelists completed an evaluation form at the conclusion of the standard-setting study. The evaluation form asked the members to provide feedback about the quality of the standard-setting implementation, the factors that influenced their decisions, and their comfort with (acceptance of) the SLLA recommended cutscore. Table 7 presents the results of the final evaluations.

All panelists confirmed that they understood the purpose of the study; that the facilitator's instructions and explanations were clear; that they were prepared to make their standard setting judgments; and that the standard-setting process was easy to follow. The panelists reported that their own professional experience and the definition of the JQC most influenced their standard-setting judgments. The majority of panelists (11 out of 15 or 73%) reported being *very comfortable* with the SLLA recommended cutscore, and all panelists reported that the cutscore was *about right*.

## **Summary**

The purposes of this standard setting study were to (a) recommend the minimum SLLA score judged necessary to award an Administrative Services Credential and (b) confirm the importance of the SLLA content specifications for entry-level school leaders in Virginia. A panel of 15 principals, assistant principals and college faculty was assembled to make the cutscore recommendation and to review the SLLA content specifications. Standard setting was conducted using a probability-based Angoff approach (for the multiple-choice section) and an Extended Angoff approach (for the constructed-response section). Section-level minimum scores were constructed and a weighted sum was computed. The average across panelists was 67.24; because this value is greater than 67, the next highest whole number, or 68, is considered the functional recommended cutscore. This value of 68 represents approximately 60% of the total available 114 raw points that could be earned on the SLLA. The scaled score associated with 68 raw points is 154. The panel confirmed that the knowledge and/or skills stated or implied in the SLLA content specifications were important for entry-level school leaders in Virginia. The results of the evaluation surveys (initial and final) support the quality of the standard-setting implementation.

## References

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- Hambleton, R. K., & Plake, B.S. (1995). Using an extended Angoff procedure to set standards on complex performance assessments. *Applied Measurement in Education, 8*, 41-55.

**Table 1. Committee Member Demographics**

	<b>N</b>	<b>Percent</b>
<b>Group you are representing</b>		
Principal	8	53%
Assistant Principal	2	13%
College Faculty	5	33%
Other	0	0%
<b>Race</b>		
African American or Black	5	33%
Alaskan Native or American Indian	1	7%
Asian or Asian American	0	0%
Native Hawaiian or Other Pacific Islander	0	0%
White	9	60%
Hispanic	0	0%
<b>Gender</b>		
Female	6	40%
Male	9	60%
<b>Are you certified as a school leader in Virginia?</b>		
No	0	0%
Yes	15	100%
<b>Are you currently a school leader in Virginia?</b>		
No	4	27%
Yes	11	73%
<b>Are you currently mentoring another school leader?</b>		
No	6	40%
Yes	9	60%
<b>How many years of experience do you have as a school leader in Virginia?</b>		
3 years or less	0	0%
4 - 7 years	8	53%
8 - 11 years	4	27%
12 - 15 years	0	0%
16 years or more	3	20%
<b>For which education level are you currently a school leader?</b>		
Pre K - Kindergarten	0	0%
K - Grade 5	2	13%
Grades 6 - 8	3	20%
Grades 9 - 12	4	27%
Grades K-12	1	7%
Higher Education	5	33%
<b>School Setting</b>		
Urban	6	40%
Suburban	7	47%
Rural	2	13%

**Table 2. Section I (Multiple-Choice Questions): Summary of Each Round of Judgments**

<b>Panelist</b>	<b>Round 1 Cutscore</b>	<b>Round 2 Cutscore</b>	<b>Round 3 Cutscore</b>
1	55.75	55.75	55.75
2	53.45	52.25	52.25
3	40.40	40.40	40.70
4	51.20	49.45	49.55
5	54.60	52.70	52.30
6	45.55	45.05	44.85
7	56.55	55.30	55.10
8	52.00	50.90	50.50
9	48.75	47.25	46.75
10	36.50	39.10	39.30
11	34.40	35.00	37.90
12	48.30	47.50	47.20
12	51.40	51.80	52.70
14	47.80	45.30	45.20
15	38.95	35.45	35.85
<b>Average</b>	<b>47.71</b>	<b>46.88</b>	<b>47.06</b>
<b>SD</b>	<b>7.10</b>	<b>6.76</b>	<b>6.34</b>
<b>SEJ</b>	<b>1.83</b>	<b>1.75</b>	<b>1.64</b>
<b>Highest</b>	<b>56.55</b>	<b>55.75</b>	<b>55.75</b>
<b>Lowest</b>	<b>34.40</b>	<b>35.00</b>	<b>35.85</b>

**Table 3. Section II (Constructed-Response Questions): Summary of Each Round of Judgments**

Member	Round 1		Round 2		Round 3	
	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore
1	32.00	<b>26.11</b>	32.00	<b>26.11</b>	32.00	<b>26.11</b>
2	28.00	<b>22.85</b>	23.00	<b>18.77</b>	23.00	<b>18.77</b>
3	19.00	<b>15.50</b>	19.00	<b>15.50</b>	19.00	<b>15.50</b>
4	24.00	<b>19.58</b>	24.00	<b>19.58</b>	24.00	<b>19.58</b>
5	26.00	<b>21.22</b>	26.00	<b>21.22</b>	26.00	<b>21.22</b>
6	24.00	<b>19.58</b>	23.00	<b>18.77</b>	23.00	<b>18.77</b>
7	30.00	<b>24.48</b>	28.00	<b>22.85</b>	28.00	<b>22.85</b>
8	33.00	<b>26.93</b>	29.00	<b>23.66</b>	28.00	<b>22.85</b>
9	23.00	<b>18.77</b>	24.00	<b>19.58</b>	24.00	<b>19.58</b>
10	26.00	<b>21.22</b>	26.00	<b>21.22</b>	26.00	<b>21.22</b>
11	30.00	<b>24.48</b>	30.00	<b>24.48</b>	30.00	<b>24.48</b>
12	14.00	<b>11.42</b>	19.00	<b>15.50</b>	19.00	<b>15.50</b>
13	25.00	<b>20.40</b>	26.00	<b>21.22</b>	26.00	<b>21.22</b>
14	27.00	<b>22.03</b>	25.00	<b>20.40</b>	25.00	<b>20.40</b>
15	19.00	<b>15.50</b>	18.00	<b>14.69</b>	18.00	<b>14.69</b>
<b>Average</b>	25.33	<b>20.67</b>	24.80	<b>20.24</b>	24.73	<b>20.18</b>
<b>SD</b>	5.18	<b>4.23</b>	4.07	<b>3.32</b>	4.01	<b>3.27</b>
<b>SEJ</b>	1.34	<b>1.09</b>	1.05	<b>0.86</b>	1.03	<b>0.84</b>
<b>Highest</b>	33.00	<b>26.93</b>	32.00	<b>26.11</b>	32.00	<b>26.11</b>
<b>Lowest</b>	14.00	<b>11.42</b>	18.00	<b>14.69</b>	18.00	<b>14.69</b>

Note: The maximum raw score for Section II is 42 points, with a maximum weighted score of 34.27.

**Table 4. Recommended SLLA Cutscores: Summary of Each Round of Judgments**

Panelist	Round 1	Round 2	Round 3
	Overall Cutscore	Overall Cutscore	Overall Cutscore
1	81.86	81.86	<b>81.86</b>
2	76.30	71.02	<b>71.02</b>
3	55.90	55.90	<b>56.20</b>
4	70.78	69.03	<b>69.13</b>
5	75.82	73.92	<b>73.52</b>
6	65.13	63.82	<b>63.62</b>
7	81.03	78.15	<b>77.95</b>
8	78.93	74.56	<b>73.35</b>
9	67.52	66.83	<b>66.33</b>
10	57.72	60.32	<b>60.52</b>
11	58.88	59.48	<b>62.38</b>
12	59.72	63.00	<b>62.70</b>
12	71.80	73.02	<b>73.92</b>
14	69.83	65.70	<b>65.60</b>
15	54.45	50.14	<b>50.54</b>
<b>Average</b>	68.38	67.12	<b>67.24</b>
<b>SD</b>	9.37	8.63	<b>8.34</b>
<b>SEJ</b>	2.42	2.23	<b>2.15</b>
<b>Highest</b>	81.86	81.86	<b>81.86</b>
<b>Lowest</b>	54.45	50.14	<b>50.54</b>

**Table 5. Cutscores within 1 and 2 SEMs of the Recommended Cutscore**

Recommended Cutscore (SEM)	Scale Score Equivalent
<b>68 (5.12)</b>	<b>154</b>
<b>- 2 SEMs</b>	<b>143</b>
<b>-1 SEM</b>	<b>149</b>
<b>+1 SEM</b>	<b>161</b>
<b>+ 2 SEMs</b>	<b>167</b>

Note: Consistent with the recommended cutscore, the cutscores at the different SEMs have been rounded to the next highest whole number.

**Table 6. SLLA Specification Judgments**

	Very Important		Important		Slightly Important		Not Important	
	N	%	N	%	N	%	N	%
<b>I. Vision and Goals (20%)</b>	<b>12</b>	<b>80%</b>	<b>2</b>	<b>13%</b>	<b>1</b>	<b>7%</b>	<b>0</b>	<b>0%</b>
A. Vision and goals for teaching and learning	12	80%	2	13%	1	7%	0	0%
B. Shared commitments to implement the vision and goals	9	60%	5	33%	1	7%	0	0%
C. Continuous improvement toward the vision and goals	11	73%	3	20%	1	7%	0	0%
<b>II. Teaching and Learning (30%)</b>	<b>15</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Building a professional culture	13	87%	2	13%	0	0%	0	0%
B. Rigorous curriculum and instruction	13	87%	2	13%	0	0%	0	0%
C. Assessment and accountability	13	87%	2	13%	0	0%	0	0%
<b>III. Managing Organizational Systems and Safety (10%)</b>	<b>8</b>	<b>53%</b>	<b>6</b>	<b>40%</b>	<b>1</b>	<b>7%</b>	<b>0</b>	<b>0%</b>
A. Managing Operational Systems	4	27%	11	73%	0	0%	0	0%
B. Aligning and obtaining fiscal and human resources	6	40%	8	53%	1	7%	0	0%
C. Protecting the welfare and safety of students and staff	14	93%	1	7%	0	0%	0	0%
<b>IV. Collaborating with Key Stakeholders (15%)</b>	<b>8</b>	<b>53%</b>	<b>7</b>	<b>47%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Collaborate with families and other community members	9	60%	6	40%	0	0%	0	0%
B. Community interests and needs	7	47%	8	53%	0	0%	0	0%
C. Maximizing community resources	3	20%	9	60%	3	20%	0	0%
<b>V. Ethics and Integrity (15%)</b>	<b>14</b>	<b>93%</b>	<b>1</b>	<b>7%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Ethical and legal behavior	14	93%	1	7%	0	0%	0	0%
B. Personal values and beliefs	13	87%	1	7%	1	7%	0	0%
C. High standards for self and others	14	93%	1	7%	0	0%	0	0%
<b>VI. The Education System (10%)</b>	<b>6</b>	<b>40%</b>	<b>8</b>	<b>53%</b>	<b>1</b>	<b>7%</b>	<b>0</b>	<b>0%</b>
A. Professional influence	4	27%	8	53%	3	20%	0	0%
B. Managing local decisions within the larger educational policy environment	4	27%	9	60%	2	13%	0	0%

**Table 7. Final Evaluation**

	<b>Strongly Agree</b>		<b>Agree</b>		<b>Disagree</b>		<b>Strongly Disagree</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
I understood the purpose of this study.	12	80%	3	20%	0	0%	0	0%
The instructions and explanations provided by the facilitator were clear.	14	93%	1	7%	0	0%	0	0%
The training in the standard setting methods was adequate to give me the information I needed to complete my assignment.	13	87%	2	13%	0	0%	0	0%
The explanation of how the recommended cut scores are computed was clear.	13	87%	2	13%	0	0%	0	0%
The opportunity for feedback and discussion between rounds was helpful.	12	80%	3	20%	0	0%	0	0%
The process of making the standard setting judgments was easy to follow.	12	80%	3	20%	0	0%	0	0%

	<b>Very Influential</b>		<b>Somewhat Influential</b>		<b>Not Influential</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>How influential was each of the following factors in guiding your standard setting judgments?</b>						
The definition of the Just Qualified Candidate	10	67%	5	33%	0	0%
The between-round discussions	8	53%	6	40%	1	7%
The cut scores of other panel members	2	13%	12	80%	1	7%
My own professional experience	12	80%	3	20%	0	0%

	<b>Very Comfortable</b>		<b>Somewhat Comfortable</b>		<b>Somewhat Uncomfortable</b>		<b>Very Uncomfortable</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, how comfortable are you with the panel's recommended cut score?	11	73%	4	27%	0	0%	0	0%

	<b>Too Low</b>		<b>About Right</b>		<b>Too High</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, the panel's recommended cut score for the SLLA test is:	0	0%	15	100%	0	0%

# Appendix A

## List of Panelists

Daryl Chesley	James Monroe High School
Karen S. Crum	Old Dominion University
Vincent M. Darby Sr.	Norfolk Public Schools
Vicki P. Duling	Franklin Sherman Elementary School, Fairfax County Public Schools
Beverly D. Epps	University of Mary Washington
William F. Floro	Radford University
Anthony Francis	Jefferson Forest High School
Glenn L. Koonce	Regent University
Janice Koslowski	Loudoun County Public Schools
Mark Mear	Lynchburg City Schools
Earl F. Newby	Virginia State University
A. Katrise Perera	Henrico County Public Schools
Joey H. Phillips	Virginia Beach City Public Schools
Tiffany Demarest Sanzo	Kecoughtan High School, Hampton City Schools
Lawrence P. Whiting	Brunswick County Public Schools

# Appendix B

## Agenda

**March 24, 2009**

- 8:00 – 8:15 AM Welcome and Introductions
- 8:15 – 8:45 Overview of Standard Setting and Workshop Events  
Sign nondisclosure and complete biographical information form
- 8:45 – 10:45 Review of the SLLA  
Break as needed
- 10:45 – 11:05 Discuss SLLA  
What is being measured?  
What does an entering school (education) leader need to know and do?
- 11:05 – 12:15 PM Define Knowledge/Skills of Just Qualified Candidate
- 12:15 – 1:00 Lunch
- 1:00 – 1:45 Standard Setting Training for Multiple-choice items  
Practice judgments -- first 3 items  
Complete training evaluation form
- 1:45 – 3:15 Round 1 Standard Setting Judgments for Multiple-choice Items  
Break as needed
- 3:15 – 3:45 Standard Setting Training for Constructed-response items  
Practice judgments – first item  
Complete training evaluation form
- 3:45 – 4:45 Round 1 Standard Setting Judgments for Constructed-response items
- 4:45 – 5:00 Collect Materials; End of Day 1

## Agenda

### March 25, 2009

- 8:00 – 8:15 AM Questions From Day 1? Overview of Day 2
- 8:15 – 10:15 Round 1 Feedback and Discussion
- 10:15 – 10:45 Round 2 Standard Setting Judgments MC and CR Items
- 10:45 – 11:00 Data Entry; Break
- 11:00 – 12:00 PM Round 2 Feedback and Discussion
- 12:00 – 12:45 Lunch
- 12:45 – 1:00 Round 3 Standard Setting Judgments MC and CR Items
- 1:00 – 1:30 Specification Judgment Training
- Practice judgments – first specification: *Vision and Goals*
- 1:30 – 2:00 Complete Specification Judgments
- 2:00 – 2:15 Feedback on Round 3 Recommended Cut Score
- 2:15 – 2:30 Complete Final Evaluation
- 2:30 – 2:45 Collect Materials; End of Study

## **Appendix C**

### **Definition of a Just Qualified Candidate**

- Acts with integrity, fairness, and in an ethical manner.
- Analyzes and synthesizes data for instructional purposes and school processes to make decisions.
- Has the ability to evaluate and support instructional methods.
- Has basic knowledge of fiscal management.
- Has basic knowledge of human resource management.
- Has the ability to lead a diverse student population – meet the needs of all students.
- Knows how to evaluate programs for success.
- Knows how to communicate and collaborate effectively with all stakeholders.
- Knows how to deal with conflict.
- Knows how to use technology for instructional improvement.
- Understands that the school vision is a process.
- Knows how to create and maintain a safe school environment.
- Understands applicable local, state, and federal laws and guidelines as they affect student learning

## APPENDIX B

### *Multi-State Standard Setting Report School Leaders Licensure Assessment (SLLA)*

*April 21-22, 2009  
Baltimore, Maryland*

*May 12-13, 2009  
St. Louis, Missouri*



# **Multi-State Standard Setting Report School Leaders Licensure Assessment (SLLA)**

April 21 - 22, 2009

Baltimore, Maryland

May 12 - 13, 2009

St. Louis, Missouri

Conducted by  
Educational Testing Service  
Princeton, New Jersey

## ***Introduction***

Research staff from Educational Testing Service (ETS) designed and conducted two multi-state standard setting studies for the revised School Leaders Licensure Assessment (SLLA). The primary purpose of the studies was to provide state departments of education with recommendations regarding a passing score or cutscore. Each study also collected content-related validity evidence of the importance of the SLLA content specifications for entry-level school (education) leaders. Two non-overlapping panels totaling 46 practicing school leaders and college faculty who prepare school leaders participated. The participants represented 17 states (see Table 1) that currently use the SLLA or plan to use the assessment; participants were selected by their respective state departments of education.

**Table 1. Participating States (and number of panelists)**

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• Arkansas (2)	• Mississippi (4)
• California (2)	• Missouri (4)
• Connecticut (4)	• New Jersey (4)
• Indiana (1)	• North Carolina (2)
• Kansas (1)	• Tennessee (2)
• Kentucky (3)	• Utah (3)
• Louisiana (4)	• Washington, DC (2)
• Maine (2)	• Wyoming (2)
• Maryland (4)	

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NOTE: Indiana and Kansas were represented on Panel 1 and North Carolina was represented on Panel 2. All other listed states were represented on both panels.

The use of two multi-state panels (a) enabled each state to be represented in the passing score recommendation and (b) provided an opportunity to replicate the standard setting process, which reinforces the quality of the passing score recommendation. The training provided to panelists and study materials were consistent across the two panels with the exception of defining the “just qualified candidate (JQC).” The JQC is the borderline test taker, or the candidate with the minimum level of knowledge and/or skills believed necessary to pass the assessment. This is the operational definition of the passing score. The standard setting process is designed to identify the assessment score that aligns with this definition. To assure that both panels were using the same frame of reference when making their standard setting judgments, the JQC defined by the first panel served as the definition for the second panel. The second panel completed a thorough review of the definition to allow panelists to discuss and internalize the definition. The processes for developing the definition (with Panel 1) and reviewing/internalizing the definition (with Panel 2) are described later and the Just Qualified Candidate definition is presented in Appendix A.

The panels were convened on April 21-22, 2009 in Baltimore, Maryland and on May 12-13, 2009 in St. Louis, Missouri. The results for each panel and results combined across panels are summarized in the following report. This report will be provided to each of the represented state departments of education. In each state, the department of education, the state board of education or a designated educator licensure board is responsible for establishing the final SLLA passing score in accord with applicable state regulations.

The first national administration of the revised School Leaders Licensure Assessment will be in September 2009. The current version of the SLLA will be phased out, with the last national administration in June 2009.

### ***School Leaders Licensure Assessment***

The School Leaders Licensure Assessment *Test at a Glance* (ETS, in press) describes the purpose and structure of the SLLA. In brief, the assessment measures whether entry-level school (education) leaders have the knowledge and/or skills believed necessary for competent professional practice. A National Advisory Committee of expert practitioners and preparation faculty defined the content of the SLLA and a national survey of the field confirmed the content. The content is aligned with the Interstate School Leaders Licensure Consortium (ISLLC) Standards for School Leaders.

The four-hour SLLA is divided into two separately timed sections:

- **Section I** (2 hours 20 minutes) – 100 scenario-based multiple-choice questions (80 operational and 20 pre-test).
- **Section II** (1 hour 40 minutes) – Seven constructed-response questions calling for written answers based on scenarios and sets of documents that a school leader might encounter.

Candidate scores on the two sections are weighted such that Section I contributes 70% of the overall SLLA score and Section II contributes 30%. The total number of raw points that may be earned on the SLLA is 114 (80 points from the multiple-choice section and approximately 34 points from the constructed-response section). The reporting scale for the SLLA ranges from 100 to 200 scaled-score points.

### ***Expert Panels***

Panel 1 included 23 school leaders and college faculty who prepare school leaders representing 16 states. The various state departments of education recruited panelists to represent a range of professional perspectives. In brief, ten panelists were principals, two were assistant principals, and eight were college faculty. Fourteen panelists were White, seven were African American, one was Hispanic

and one was Asian American. Eleven panelists were female. Twenty-one panelists reported being certified school leaders in their states. Nine panelists had between 4 and 11 years of experience as a school leader.

Panel 2 also included 23 school leaders and college faculty who prepare school leaders representing 15 states. As with Panel 1, the various state departments of education recruited panelists to represent a range of professional perspectives. Twelve panelists were principals, four were assistant principals, and five were college faculty. Eleven panelists were White, eight were African American, two were Hispanic and one each was Asian American and Alaskan Native/American Indian. Thirteen panelists were female. Twenty-one panelists reported being certified school leaders in their states. Fourteen panelists had between 4 and 11 years of experience as a school leader

Table 1 presents the demographic characteristics of the two panels. Lists of panel members and their affiliations are presented in Appendix B.

### ***Process and Method***

The training provided to panelists and study materials were consistent across panels. Any differences between panels (e.g., defining the Just Qualified Candidate) are highlighted.

Prior to each study, the panelists were sent an e-mail explaining the purpose of the standard setting study and the planned agenda (Appendix C), and requesting that they review the test content specifications for the SLLA (included in the *SLLA Test at a Glance*, which was attached to the e-mail). The purpose of the review was to familiarize the panelists with the general structure and content of the assessment.

Each standard setting study began with a welcome and introduction by Drs. Richard Tannenbaum and Clyde Reese, ETS researchers in the Center for Validity Research. Dr. Tannenbaum, lead facilitator for the study, then explained how the SLLA was developed, provided an overview of standard setting, and presented the agenda for the study.

### **Reviewing the SLLA**

The first activity was for the panelists to “take the test.” (Each panelist had signed a nondisclosure form.) The panelists were given approximately two hours to respond to the multiple-choice questions and to sketch responses to the constructed-response questions. The panelists had access to the answer key for the multiple-choice questions and access to both the general and question-specific rubrics for the constructed-response questions. The purpose of “taking the test” was for the panelists to become familiar with the test format, content and its difficulty.

The panelists then engaged in a discussion of the major content areas being addressed by the SLLA. They were also asked to remark on any questions that they thought would be particularly challenging for entering school leaders, and questions that addressed content that would be particularly important for entering school leaders.

## Defining the JQC

Following the review of the SLLA, panelists defined the knowledge and/or skills expected of a Just Qualified Candidate (JQC). The JQC is the test taker who has the minimum level of knowledge and/or skills believed necessary to be a qualified school leader. The JQC definition is the operational definition of the passing score (cutscore). The goal of the standard-setting process is to identify the test score that aligns with this definition of the JQC.

In Panel 1, the panelists were split into four groups and each group was asked to write down its definition of a JQC. Each group referred to the Interstate School Leaders Licensure Consortium (ISLLC) 2008 standards, the SLLA *Test at a Glance*, and an example JQC description for the SLLA (developed by one state) to guide their definition. Each group posted its definition on chart paper and a full-panel discussion occurred to reach consensus on a final definition.

In Panel 2, the panelists began with the definition of the JQC developed by the first panel. Given that the SLLA multi-state standard setting was designed to replicate processes and procedures across the two panels, it was important that both panels use the same JQC definition to frame their judgments<sup>1</sup>. For Panel 2, the panelists reviewed the (Panel 1) JQC definition and any ambiguities were discussed and clarified. The panelists then were split into four groups and each group developed three to four examples of behaviors or decisions they would expect of a JQC based on the definition. The examples were shared across groups and discussed. The purpose of the exercises was to have the panelists internalize the definition.

Minor edits were made to the existing JQC definition based on the discussions. For example, Knowledge Statement 9 from Panel 1 was “[the JQC] models principles of self-awareness, reflective practice, transparency, and loyalty to the shared vision.” Panel 2 deleted the phrase “loyalty to the shared vision,” believing that the notion of loyalty to the vision was subsumed by other statements and detracted from the other aspects of the knowledge statement. Panel 2 also modified Knowledge Statement 13 from the original, “[the JQC] knows and uses the basic tenets of teaching and learning (including the use of

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<sup>1</sup>Discussions regarding the “use of technology” occurred in Panel 1 during (a) the initial defining of the JQC and (b) Round 1 judgments. To reflect these discussions, language was added to the definition of the JQC that was carried forward to Panel 2. The parenthetical was added to the bullet “*Knows and uses the basic tenets of teaching and learning (including the use of technology to support teaching and learning).*”

technology to support teaching and learning),” to “knows and applies the basic tenets of teaching and learning (including the use of technology to support teaching and learning) as it impacts student achievement.” These changes helped to clarify the JQC definition for Panel 2, but did not alter the overall level of knowledge expected of the JQC. The JQC definition, with Panel 2 revisions highlighted, is presented in Appendix A.

## Panelists’ Judgments

The standard-setting process for the SLLA was conducted for the overall assessment, though one standard-setting approach was implemented for Section I (multiple-choice questions) and another approach was implemented for Section II (constructed-response questions). Each panel’s passing score for the SLLA is the weighted sum of the minimum scores recommended by the panelists for each section. These approaches are described next, followed by the results from each standard-setting panel. The average of the two passing score recommendations is also provided.

**Standard Setting for Section I (Multiple-Choice Questions).** A probability-based Angoff method (Brandon, 2004; Hambleton & Pitoniak, 2006) was used for Section I (multiple-choice questions). In this approach, for each question, a panelist decides on the likelihood (probability or chance) that a JQC would answer it correctly. Panelists made their judgments using the following rating scale: 0, .05, .10, .20, .30, .40, .50, .60, .70, .80, .90, .95, 1. The lower the value, the less likely it is that a JQC would answer the question correctly, because the question is difficult for the JQC. The higher the value, the more likely it is that a JQC would answer the question correctly.

For each panel, the panelists were asked to approach the judgment process in two stages. First, they reviewed the definition of the JQC and the assessment question and decided if, overall, the question was difficult for the JQC, easy for the JQC, or moderately difficult/easy. The facilitator encouraged the panelists to consider the following rules of thumb to guide their decision:

- difficult questions for a JQC were in the 0 to .30 range;
- easy questions were in the .70 to 1 range; and
- moderately difficult/easy questions were in the .40 to .60 range.

The second decision was for panelists to decide how they wanted to refine their judgment within the range. For example, if a panelist thought that a question was easy for a JQC, the initial decision located the question in the .70 to 1 range. The second decision was for the panelist to decide if the likelihood of answering it correctly was .70, .80, .90, .95, or 1.0. The two-stage decision-process was implemented to

reduce the cognitive load placed on the panelists. The panelists practiced making their standard-setting judgments on the first three multiple-choice questions.

The panelists engaged in three rounds of judgments. The Round 1 feedback provided to the panel included each panelist's (listed by ID number) recommended cutscore for the section and the panel's average recommended cutscore, highest and lowest cutscore, and standard deviation. Following discussion, the panelists' judgments were displayed for each question. The panelists' judgments were summarized by the three general difficulty levels (0 to .30, .40 to .60, and .70 to 1) and the panel's average question judgment was provided. Questions were highlighted to show when panelists converged in their judgments (approximately two-thirds of the panelists located a question in the same difficulty range) or diverged in their judgments. Panelists were asked to share their rationales for the judgments they made. Following this discussion, panelists were provided an opportunity to change their question-level standard-setting judgments (Round 2). This process was repeated for the Round 2 judgments to inform their final (Round 3) judgments.

Other than the definition of the JQC, results from Panel 1 were not shared with the second panel. The question-level judgments and resulting discussions for Panel 2 were independent of judgments and discussions that occurred with Panel 1.

**Standard Setting for Section II (Constructed-Response Questions).** An Extended Angoff method (Cizek & Bunch, 2007; Hambleton & Plake, 1995) was used for Section II (constructed-response questions). In this approach, for each question, a panelist decides on the assigned score value that would most likely be earned by a JQC. The basic process that each panelist followed was first to review the definition of the JQC and then to review the question and the rubrics (general and specific) for that question. The general rubric for a question defines holistically the quality of the evidence that would merit a response earning a 3 (*thorough understanding*), 2 (*basic/general understanding*), 1 (*limited understanding*), or 0 (*little or no understanding*). Each question-specific rubric provides examples of evidence that would support earning a 3, 2, 1, or 0. During this review, each panelist independently considered the level of knowledge and/or skill required to respond to the question and the features of a response that would earn 3, 2, 1, or 0 points, as defined by the rubrics.

A test taker's response to a constructed-response question is independently scored by two raters, and the sum of the raters' scores is the assigned score<sup>2</sup>; possible scores, therefore, range from zero (both raters assigned a score of zero) to six (both raters assigned a score of three). Each panelist decided on the

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<sup>2</sup> If the two raters' scores differ by more than one point (non-adjacent), the Chief Reader for that question assigns the score, which is then doubled.

score most likely to be earned by a JQC from the following possible values: 0, 1, 2, 3, 4, 5, 6. A score of 3, for example, would mean that a panelist thought that a JQC would most likely earn between a 1 and a 2 from the two raters. A score of 5 would mean that a JQC would most likely earn between a 2 and a 3 from the two raters. For each of the seven constructed-response questions, panelists recorded the score (0 through 6) that a JQC would most likely earn. The panelists practiced making their standard-setting judgments on the first constructed-response question.

The Section II (constructed-response questions) score is weighted to contribute 30% of the total test score; the Section I (multiple-choice question) score is weighted to contribute 70%. The facilitator explained the reason and process for weighting the contributions of the two sections to the panel. The feedback to the panelists, described next, included both their judgments before and after the weightings so they could more easily see the relationship between their explicit standard-setting judgments (pre-weighting) and the post-weighting values used to compute the recommended cutscore.

Consistent with the standard-setting process used for Section I, the panelists engaged in three rounds of judgments for Section II. After each round, the judgments of each panelist were summarized and displayed for the panel to see and discuss. Each panelist's recommended cutscore for Section II was presented as was the panel's average recommended cutscore, highest and lowest cutscore, and standard deviation. The panelists' judgments also were displayed for each question. The panelists participated in a general discussion of the results. Panelists were asked to share their rationales for the judgments they made. Following this discussion, panelists were provided an opportunity to change their question-level standard-setting judgments (Round 2). This process was repeated for the Round 2 judgments to inform their final (Round 3) judgments.

As with Section I, results from Panel 1 were not shared with the second panel. The question-level judgments and resulting discussions for Panel 2 were independent of judgments and discussions that occurred with Panel 1.

## **Judgment of SLLA Content Specifications**

Following the three-round standard setting process, each panel judged the importance of the knowledge and/or skills stated or implied in the SLLA content specifications for the job of an entry-level school leader. These judgments addressed the perceived content-based validity of the SLLA. Judgments were made using a four-point Likert scale — *very important*, *important*, *slightly important*, and *not important*. The panel first judged the importance of the first content category— *Vision and Goals* — and its three sub-categories. As a group, the panel discussed their judgments and were allowed to revise their

judgments following the discussion. Each panel independently judged the remaining categories and sub-categories.

## ***Results***

### **Initial Evaluation Forms**

The panelists completed two initial evaluation forms, once after they were trained in how to make their standard-setting judgments for Section I (multiple-choice questions), and once after they were trained to make their judgments for Section II (constructed-response questions). The primary information collected from these forms was the panelists indicating if they had received adequate training to make their standard-setting judgments and were ready to proceed. On each panel, all panelists indicated that they were prepared to make their judgments.

### **Summary of Standard Setting Judgments by Round**

Tables 2 through 4 present a summary of each round of standard-setting judgments for Section I (multiple-choice questions), Section II (constructed-response questions) and the overall assessment, respectively. Tables 2A, 3A, and 4A summarize results for Panel 1 and Tables 2B, 3B, and 4B summarize results for Panel 2. The numbers in each table reflect the recommended cutscores—the number of raw points needed to “pass” the section or assessment—of each panelist for each of the three rounds. Note that the SLLA reports a single, overall score and that each panel recommends a single cutscore for the weighted composite of Sections I and II. The separate “cutscores” for the two sections are intermediate steps in calculating the overall cutscore. For Section II, both the direct standard-setting judgments (“Raw Score”) and the weighted judgments (“Wt. Cutscore”) are presented. Each panel’s average recommended cutscore and highest and lowest cutscores are reported, as are the standard deviations (SD) of panelists’ cutscores and the standard errors of judgment (SEJ). The SEJ is one way of estimating the reliability of the judgments. It indicates how likely it would be for other panels of educators similar in make-up, experience, and standard-setting training to the current panels to reach the same cutscore. A comparable panel’s cutscore would be within 1 SEJ of the current average cutscore 68 percent of the time and within 2 SEJs 95 percent of the time.

Round 1 judgments are made without discussion among the panelists. The most variability in judgments, therefore, is typically present in the first round. Round 2 and Round 3 judgments, however, are informed by panel discussion; thus, it is common to see a decrease both in the standard deviation and SEJ. This decrease — indicating convergence among the panelists’ judgments — was observed for the SLLA in both panels.

The Round 3 average score for each section is summed to arrive at each panel's SLLA recommended cutscore (passing score). Although the passing score is based on the two sections, there is only an overall passing score requirement for the assessment. There are no required minimum section scores that must be obtained in order to pass the SLLA. The total assessment cutscore is compensatory, in that as long as the total SLLA cutscore is met or exceeded, the candidate has passed.

The panels' cutscore recommendation for the SLLA is 74.41 for Panel 1 and 76.16 for Panel 2 (see Tables 4A and 4B). The values were rounded to the next highest whole number to determine the functional recommended cutscores — 75 for Panel 1 and 77 for Panel 2. The values of 75 and 77 represent approximately 66% and 68%, respectively, of the total available 114 raw points that could be earned on the SLLA. The scaled scores associated with 75 and 77 raw points are 162 and 164, respectively.<sup>3</sup>

Tables 5A and 5B present the standard errors of measurement (SEM) around the recommended cutscores from each respective panel. A standard error represents the uncertainty associated with an assessment score. The scaled scores associated with 1 and 2 SEMs are provided. The standard errors provided are an estimate, given that the SLLA has not yet been administered. The SEM may be used to construct confidence intervals around a recommended cutscore. The confidence intervals around the Panel 1 and Panel 2 cutscore recommendations overlap, which means that the recommendations are not significantly different from one another. The two panels converged in their passing score recommendations, supporting that the standard setting outcome was successfully replicated.

Given the similarity of the passing score recommendations for the two panels, it is reasonable for state departments of education to consider the average of the two recommendations when making their operational passing score decision. The average of the two panel's recommendations is 75.29. The value was rounded to 76 (next highest raw score) to determine the functional recommended cutscore. The value of 76 represent approximately 67% of the total available 114 raw points that could be earned on the SLLA. The scaled score associated with 76 raw points is 163<sup>4</sup>. The estimated standard error associated with 76 raw points is 5.02. Raw score values (rounded to the next highest whole number) and [scaled score values] within 2 SEMs range from 66 [152] to 87 [176].

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<sup>3</sup> For reference purposes, if the recommended raw cutscore were 74 or 76 points, the scaled score would be 161 or 163, respectively.

<sup>4</sup> For reference purposes, if the recommended raw cutscore was 75 points, the scaled score would be 162.

## Summary of Specification Judgments

Panelists judged the extent to which the knowledge and/or skills reflected by the SLLA content specifications were important for entry-level school leaders. Panelists rated the six content categories and their accompanying sub-categories, on a four-point scale ranging from *very important* to *not important*. The panelists' ratings are summarized in Tables 6A (Panel 1) and 6B (Panel 2). For both panels, all panelists judged three of the six categories (Vision and Goals; Teaching and Learning; and Ethics and Integrity) to be either *very important* or *important* for entry-level school leaders; all but one panelist on one or both panels judged Managing Organization Systems and Safety; Collaborating with Key Stakeholders; and The Education System to be *very important* or *important*. For both panels, the categories Teaching and Learning, and Ethics and Integrity received the highest percentage of *very important* ratings. The majority of panelists on each panel (87% or greater; 20 of 23) also confirmed the importance of each of the sub-categories. The results across both panels support the content-based validity of the SLLA test content specifications.

## Summary of Final Evaluations

The panelists on each panel completed an evaluation form at the conclusion of their standard setting study. The evaluation form asked the members to provide feedback about the quality of the standard-setting implementation, the factors that influenced their decisions, and their comfort with (acceptance of) the SLLA recommended cutscore. Tables 7A (Panel 1) and 7B (Panel 2) present the results of the final evaluations.

All panelists on each panel confirmed that they understood the purpose of the study; that the facilitators' instructions and explanations were clear; and that they were prepared to make their standard setting judgments. All but one panelists (on Panel 2) indicated that the standard-setting process was easy to follow. The panelists reported that their own professional experience and the definition of the JQC most influenced their standard-setting judgments.

There were some minor differences between the two panels when asked to respond to their level of comfort with their panel's recommended passing score and with their judgments regarding whether the recommended passing score was *too low*, *about right*, or *too high*. Nine panelists from Panel 1 reported being *very comfortable* with their panel's recommended passing score, and nine reported being *somewhat comfortable*. Thirteen panelists thought that the recommended passing score was *about right*, and nine thought it was *too low*. Fifteen panelists from Panel 2 reported being *very comfortable* with their panel's recommended passing score. Twenty panelists thought that the recommended passing score was *about right*, and three thought it was *too high*. These results suggest that taking the average of the two

recommended cutscores has perceived merit, as the average value of 76 is slightly higher than the recommended value from Panel 1 (75) and slightly lower than the recommended value of Panel 2 (77).

### **Summary**

Two multi-state standard setting studies were conducted to recommend a passing score (cutscore) on the revised SLLA. Each study also collected content-related validity evidence of the importance of the SLLA content specifications for entry-level school (education) leaders. A total of 46 experts (e.g., school leaders and college faculty who prepare school leaders) representing 17 states participated.

Standard setting was conducted using a probability-based Angoff approach (for the multiple-choice section) and an Extended Angoff approach (for the constructed-response section). Section-level minimum scores were constructed and a weighted sum was computed. The cutscore recommendations for the SLLA were 74.41 for Panel 1 and 76.16 for Panel 2. The values were rounded to the next highest whole number to determine the functional recommended cutscores — 75 for Panel 1 and 77 for Panel 2. The values of 75 and 77 represent approximately 66% and 68%, respectively, of the total available 114 raw points that could be earned on the SLLA. The scaled scores associated with 75 and 77 raw points are 162 and 164, respectively.

Given the similarity of the passing score recommendations for the two panels, it is reasonable for state departments of education to consider the average of the two recommendations—75.29 or 76 rounded to the next highest whole number—when making their operational passing score decision. The scaled score associated with 76 is 163.

Both panels confirmed that the knowledge and/or skills stated or implied in the SLLA content specifications were important for entry-level school leaders. The results of the evaluation surveys (initial and final) from each panels support the quality of the standard-setting implementations.

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**Table 1. Committee Member Demographics**

	<b>Panel 1</b>		<b>Panel 2</b>	
	<b>N</b>	<b>Percent</b>	<b>N</b>	<b>Percent</b>
<b>Group you are representing</b>				
Principal	10	43%	12	52%
Assistant Principal	2	9%	4	17%
College Faculty	8	35%	5	22%
Other	3	13%	2	9%
<b>Race</b>				
African American or Black	7	30%	8	35%
Alaskan Native or American Indian	0	0%	1	4%
Asian or Asian American	1	4%	1	4%
Native Hawaiian or Other Pacific Islander	0	0%	0	0%
White	14	61%	11	48%
Hispanic	1	4%	2	9%
<b>Gender</b>				
Female	11	48%	13	57%
Male	12	52%	10	43%
<b>Are you certified as a school leader in your state?</b>				
No	2	9%	2	9%
Yes	21	91%	21	91%
<b>Are you currently a school leader in your state?</b>				
No	6	26%	7	30%
Yes	17	74%	16	70%
<b>Are you currently mentoring another school leader?</b>				
No	10	43%	12	52%
Yes	13	57%	11	48%
<b>How many years of experience do you have as a school leader in your state?</b>				
3 years or less	2	9%	1	4%
4 - 7 years	4	17%	4	17%
8 - 11 years	5	22%	10	43%
12 - 15 years	3	13%	2	9%
16 years or more	9	39%	6	26%

**Table 1. Committee Member Demographics**

	<b>Panel 1</b>		<b>Panel 2</b>	
	N	Percent	N	Percent
<b>For which education level are you currently a school leader?</b>				
Elementary ( <i>covering a combination of grades Pre-K to 6</i> )	5	22%	7	30%
Middle School ( <i>covering a combination of grades 5 to 8</i> )	2	9%	2	9%
High School ( <i>covering a combination of grades 9 to 12</i> )	5	22%	6	26%
Elementary & Middle School Combined	1	4%	1	4%
All Grades	1	4%	1	4%
Central Office	2	9%	2	9%
Higher Education	7	30%	4	17%
<b>School Setting</b>				
Urban	5	22%	10	43%
Suburban	8	35%	5	22%
Rural	10	43%	8	35%

**Table 2A. Section I: Summary of Each Round of Judgments — Panel 1**

<b>Panelist</b>	<b>Round 1 Cutscore</b>	<b>Round 2 Cutscore</b>	<b>Round 3 Cutscore</b>
1	55.05	54.55	54.25
2	60.95	58.25	57.50
3	46.80	48.45	51.35
4	46.70	47.30	47.70
5	52.90	51.10	50.90
6	46.95	51.95	52.25
7	52.90	53.00	53.30
8	50.40	50.10	50.40
9	53.50	51.15	51.15
10	36.90	36.90	36.90
11	53.50	53.45	54.65
12	57.30	58.75	59.25
13	45.10	45.10	45.70
14	52.50	55.00	55.55
15	45.90	45.55	44.95
16	47.90	48.10	48.90
17	45.40	45.30	45.50
18	48.40	47.80	48.30
19	54.90	54.60	55.30
20	40.50	41.25	42.45
21	55.30	55.35	54.55
22	49.85	49.55	48.50
23	48.50	45.80	45.80
<b>Average</b>	<b>49.92</b>	<b>49.93</b>	<b>50.22</b>
<b>SD</b>	<b>5.49</b>	<b>5.30</b>	<b>5.23</b>
<b>SEJ</b>	<b>1.14</b>	<b>1.10</b>	<b>1.09</b>
<b>Highest</b>	<b>60.95</b>	<b>58.75</b>	<b>59.25</b>
<b>Lowest</b>	<b>36.90</b>	<b>36.90</b>	<b>36.90</b>

**Table 2B. Section I: Summary of Each Round of Judgments — Panel 2**

<b>Panelist</b>	<b>Round 1 Cutscore</b>	<b>Round 2 Cutscore</b>	<b>Round 3 Cutscore</b>
1	67.90	66.05	64.70
2	62.90	60.65	60.75
3	52.90	53.20	53.00
4	37.70	40.00	40.20
5	49.75	50.55	50.75
6	42.50	43.10	43.20
7	58.95	58.15	58.45
8	53.50	51.95	51.95
9	48.20	46.55	45.75
10	55.05	54.85	54.65
11	51.20	49.60	48.70
12	68.75	68.00	68.60
13	43.25	44.30	45.80
14	51.95	52.75	53.35
15	43.70	45.50	46.05
16	54.70	52.35	52.25
17	55.10	55.40	55.70
18	45.35	47.25	47.95
19	62.70	63.35	63.55
20	43.25	44.75	45.75
21	59.60	60.50	60.95
22	45.60	47.10	48.00
23	59.30	58.60	58.60
<b>Average</b>	<b>52.77</b>	<b>52.80</b>	<b>52.98</b>
<b>SD</b>	<b>8.43</b>	<b>7.62</b>	<b>7.47</b>
<b>SEJ</b>	<b>1.76</b>	<b>1.59</b>	<b>1.56</b>
<b>Highest</b>	<b>68.75</b>	<b>68.00</b>	<b>68.60</b>
<b>Lowest</b>	<b>37.70</b>	<b>40.00</b>	<b>40.20</b>

Table 3A. Section II: Summary of Each Round of Judgments — Panel 1

Member	Round 1		Round 2		Round 3	
	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore
1	30.00	24.57	30.00	24.57	30.00	<b>24.57</b>
2	30.00	24.57	30.00	24.57	30.00	<b>24.57</b>
3	33.00	26.86	31.00	25.14	31.00	<b>25.14</b>
4	27.00	21.90	28.00	22.86	29.00	<b>23.62</b>
5	30.00	24.57	30.00	24.57	30.00	<b>24.57</b>
6	31.00	24.95	32.00	25.90	32.00	<b>25.90</b>
7	30.00	24.38	31.00	25.33	31.00	<b>25.33</b>
8	35.00	28.38	32.00	26.10	32.00	<b>26.10</b>
9	29.00	23.81	29.00	23.81	29.00	<b>23.81</b>
10	28.00	23.24	30.00	24.76	30.00	<b>24.76</b>
11	27.00	21.90	28.00	22.86	28.00	<b>22.86</b>
12	26.00	21.14	29.00	24.00	29.00	<b>24.00</b>
13	22.00	17.71	23.00	18.67	24.00	<b>19.43</b>
14	32.00	26.48	37.00	30.48	37.00	<b>30.48</b>
15	28.00	22.67	28.00	22.67	28.00	<b>22.67</b>
16	27.00	22.10	27.00	22.10	27.00	<b>22.10</b>
17	25.00	20.38	27.00	22.29	27.00	<b>22.29</b>
18	30.00	24.57	30.00	24.57	30.00	<b>24.57</b>
19	30.00	24.57	30.00	24.57	30.00	<b>24.57</b>
20	31.00	25.14	33.00	27.05	33.00	<b>27.05</b>
21	32.00	26.10	31.00	25.33	31.00	<b>25.33</b>
22	26.00	21.33	26.00	21.33	26.00	<b>21.33</b>
23	26.00	21.33	26.00	21.33	26.00	<b>21.33</b>
<b>Average</b>	28.91	<b>23.59</b>	29.48	<b>24.12</b>	29.57	<b>24.19</b>
<b>SD</b>	2.94	<b>2.41</b>	2.83	<b>2.33</b>	2.71	<b>2.24</b>
<b>SEJ</b>	0.61	<b>0.50</b>	0.59	<b>0.49</b>	0.57	<b>0.47</b>
<b>Highest</b>	35.00	<b>28.38</b>	37.00	<b>30.48</b>	37.00	<b>30.48</b>
<b>Lowest</b>	22.00	<b>17.71</b>	23.00	<b>18.67</b>	24.00	<b>19.43</b>

Note: The maximum raw score for Section II is 42 points, with a maximum weighted score of 34.27.

**Table 3B. Section II: Summary of Each Round of Judgments — Panel 2**

Member	Round 1		Round 2		Round 3	
	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore	Raw Score	Wt. Cutscore
1	31.00	25.14	29.00	23.62	29.00	<b>23.62</b>
2	34.00	27.81	32.00	25.90	32.00	<b>25.90</b>
3	30.00	24.38	29.00	23.62	29.00	<b>23.62</b>
4	20.00	16.19	24.00	19.43	25.00	<b>20.19</b>
5	25.00	20.76	25.00	20.76	26.00	<b>21.52</b>
6	30.00	24.38	29.00	23.62	29.00	<b>23.62</b>
7	29.00	23.43	30.00	24.38	30.00	<b>24.38</b>
8	32.00	25.90	32.00	26.29	32.00	<b>26.29</b>
9	31.00	25.14	27.00	21.90	28.00	<b>23.05</b>
10	31.00	25.14	30.00	24.38	30.00	<b>24.38</b>
11	27.00	22.29	28.00	23.05	28.00	<b>23.05</b>
12	31.00	25.52	31.00	25.52	31.00	<b>25.52</b>
13	31.00	25.33	31.00	25.33	31.00	<b>25.33</b>
14	29.00	23.62	30.00	24.38	30.00	<b>24.38</b>
15	26.00	21.52	22.00	18.48	22.00	<b>18.48</b>
16	29.00	23.81	21.00	17.33	26.00	<b>21.52</b>
17	29.00	23.81	30.00	24.57	30.00	<b>24.57</b>
18	27.00	22.29	29.00	23.81	30.00	<b>24.57</b>
19	18.00	14.48	26.00	21.14	26.00	<b>21.14</b>
20	23.00	19.05	26.00	21.33	26.00	<b>21.33</b>
21	23.00	18.48	23.00	18.48	24.00	<b>19.24</b>
22	23.00	19.05	26.00	21.33	27.00	<b>22.10</b>
23	31.00	25.33	31.00	25.33	31.00	<b>25.33</b>
<b>Average</b>	27.83	<b>22.73</b>	27.87	<b>22.78</b>	28.35	<b>23.18</b>
<b>SD</b>	4.11	<b>3.34</b>	3.21	<b>2.58</b>	2.67	<b>2.15</b>
<b>SEJ</b>	0.86	<b>0.70</b>	0.67	<b>0.54</b>	0.56	<b>0.45</b>
<b>Highest</b>	34.00	<b>27.81</b>	32.00	<b>26.29</b>	32.00	<b>26.29</b>
<b>Lowest</b>	18.00	<b>14.48</b>	21.00	<b>17.33</b>	22.00	<b>18.48</b>

Note: The maximum raw score for Section II is 42 points, with a maximum weighted score of 34.27.

**Table 4A. Recommended SLLA Cutscores: Summary of Each Round of Judgments — Panel 1**

<b>Panelist</b>	<b>Round 1</b>	<b>Round 2</b>	<b>Round 3</b>
	<b>Overall Cutscore</b>	<b>Overall Cutscore</b>	<b>Overall Cutscore</b>
1	79.62	79.12	<b>78.82</b>
2	85.52	82.82	<b>82.07</b>
3	73.66	73.59	<b>76.49</b>
4	68.60	70.16	<b>71.32</b>
5	77.47	75.67	<b>75.47</b>
6	71.90	77.85	<b>78.15</b>
7	77.28	78.33	<b>78.63</b>
8	78.78	76.20	<b>76.50</b>
9	77.31	74.96	<b>74.96</b>
10	60.14	61.66	<b>61.66</b>
11	75.40	76.31	<b>77.51</b>
12	78.44	82.75	<b>83.25</b>
13	62.81	63.77	<b>65.13</b>
14	78.98	85.48	<b>86.03</b>
15	68.57	68.22	<b>67.62</b>
16	70.00	70.20	<b>71.00</b>
17	65.78	67.59	<b>67.79</b>
18	72.97	72.37	<b>72.87</b>
19	79.47	79.17	<b>79.87</b>
20	65.64	68.30	<b>69.50</b>
21	81.40	80.68	<b>79.88</b>
22	71.18	70.88	<b>69.83</b>
23	69.83	67.13	<b>67.13</b>
<b>Average</b>	73.51	74.05	<b>74.41</b>
<b>SD</b>	6.42	6.34	<b>6.26</b>
<b>SEJ</b>	1.34	1.32	<b>1.31</b>
<b>Highest</b>	85.52	85.48	<b>86.03</b>
<b>Lowest</b>	60.14	61.66	<b>61.66</b>

**Table 4B. Recommended SLLA Cutscores: Summary of Each Round of Judgments — Panel 2**

<b>Panelist</b>	<b>Round 1</b>	<b>Round 2</b>	<b>Round 3</b>
	<b>Overall Cutscore</b>	<b>Overall Cutscore</b>	<b>Overall Cutscore</b>
1	93.04	89.67	<b>88.32</b>
2	90.71	86.55	<b>86.65</b>
3	77.28	76.82	<b>76.62</b>
4	53.89	59.43	<b>60.39</b>
5	70.51	71.31	<b>72.27</b>
6	66.88	66.72	<b>66.82</b>
7	82.38	82.53	<b>82.83</b>
8	79.40	78.24	<b>78.24</b>
9	73.34	68.45	<b>68.80</b>
10	80.19	79.23	<b>79.03</b>
11	73.49	72.65	<b>71.75</b>
12	94.27	93.52	<b>94.12</b>
13	68.58	69.63	<b>71.13</b>
14	75.57	77.13	<b>77.73</b>
15	65.22	63.98	<b>64.53</b>
16	78.51	69.68	<b>73.77</b>
17	78.91	79.97	<b>80.27</b>
18	67.64	71.06	<b>72.52</b>
19	77.18	84.49	<b>84.69</b>
20	62.30	66.08	<b>67.08</b>
21	78.08	78.98	<b>80.19</b>
22	64.65	68.43	<b>70.10</b>
23	84.63	83.93	<b>83.93</b>
<b>Average</b>	75.51	75.59	<b>76.16</b>
<b>SD</b>	9.94	8.73	<b>8.34</b>
<b>SEJ</b>	2.07	1.82	<b>1.74</b>
<b>Highest</b>	94.27	93.52	<b>94.12</b>
<b>Lowest</b>	53.89	59.43	<b>60.39</b>

**Table 5A. Cutscores within 1 and 2 SEMs of the Recommended Cutscore — Panel 1**

<b>Recommended Cutscore (SEM)</b>		<b>Scale Score Equivalent</b>
<b>75 (5.05)</b>		<b>162</b>
<b>- 2 SEMs</b>	<b>65</b>	<b>151</b>
<b>-1 SEM</b>	<b>70</b>	<b>156</b>
<b>+1 SEM</b>	<b>81</b>	<b>169</b>
<b>+ 2 SEMs</b>	<b>86</b>	<b>175</b>

Note: Consistent with the recommended cutscore, the cutscores at the different SEMs have been rounded to the next highest whole number.

**Table 5B. Cutscores within 1 and 2 SEMs of the Recommended Cutscore — Panel 2**

<b>Recommended Cutscore (SEM)</b>		<b>Scale Score Equivalent</b>
<b>77 (4.98)</b>		<b>164</b>
<b>- 2 SEMs</b>	<b>68</b>	<b>154</b>
<b>-1 SEM</b>	<b>73</b>	<b>160</b>
<b>+1 SEM</b>	<b>82</b>	<b>170</b>
<b>+ 2 SEMs</b>	<b>87</b>	<b>176</b>

Note: Consistent with the recommended cutscore, the cutscores at the different SEMs have been rounded to the next highest whole number.

Table 6A. SLLA Specification Judgments — Panel 1

	Very Important		Important		Slightly Important		Not Important	
	N	%	N	%	N	%	N	%
<b>I. Vision and Goals (20%)</b>	<b>22</b>	<b>96%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Vision and goals for teaching and learning	21	91%	2	9%	0	0%	0	0%
B. Shared commitments to implement the vision and goals	18	78%	5	22%	0	0%	0	0%
C. Continuous improvement toward the vision and goals	17	74%	6	26%	0	0%	0	0%
<b>II. Teaching and Learning (30%)</b>	<b>23</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Building a professional culture	20	87%	3	13%	0	0%	0	0%
B. Rigorous curriculum and instruction	19	83%	4	17%	0	0%	0	0%
C. Assessment and accountability	18	78%	5	22%	0	0%	0	0%
<b>III. Managing Organizational Systems and Safety (10%)</b>	<b>11</b>	<b>48%</b>	<b>11</b>	<b>48%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>
A. Managing Operational Systems	6	26%	15	65%	2	9%	0	0%
B. Aligning and obtaining fiscal and human resources	11	48%	10	43%	2	9%	0	0%
C. Protecting the welfare and safety of students and staff	21	91%	2	9%	0	0%	0	0%
<b>IV. Collaborating with Key Stakeholders (15%)</b>	<b>15</b>	<b>65%</b>	<b>8</b>	<b>35%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Collaborate with families and other community members	9	39%	14	61%	0	0%	0	0%
B. Community interests and needs	4	17%	17	74%	2	9%	0	0%
C. Maximizing community resources	4	17%	16	70%	3	13%	0	0%
<b>V. Ethics and Integrity (15%)</b>	<b>23</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Ethical and legal behavior	23	100%	0	0%	0	0%	0	0%
B. Personal values and beliefs	19	83%	4	17%	0	0%	0	0%
C. High standards for self and others	21	91%	2	9%	0	0%	0	0%
<b>VI. The Education System (10%)</b>	<b>7</b>	<b>30%</b>	<b>15</b>	<b>65%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>
A. Professional influence	5	22%	17	74%	1	4%	0	0%
B. Managing local decisions within the larger educational policy environment	5	22%	15	65%	3	13%	0	0%

Table 6B. SLLA Specification Judgments — Panel 2

	Very Important		Important		Slightly Important		Not Important	
	N	%	N	%	N	%	N	%
<b>I. Vision and Goals (20%)</b>	<b>19</b>	<b>83%</b>	<b>4</b>	<b>17%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Vision and goals for teaching and learning	18	78%	5	22%	0	0%	0	0%
B. Shared commitments to implement the vision and goals	16	70%	6	26%	1	4%	0	0%
C. Continuous improvement toward the vision and goals	17	74%	6	26%	0	0%	0	0%
<b>II. Teaching and Learning (30%)</b>	<b>23</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Building a professional culture	19	83%	4	17%	0	0%	0	0%
B. Rigorous curriculum and instruction	19	83%	4	17%	0	0%	0	0%
C. Assessment and accountability	17	74%	6	26%	0	0%	0	0%
<b>III. Managing Organizational Systems and Safety (10%)</b>	<b>16</b>	<b>70%</b>	<b>7</b>	<b>30%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Managing Operational Systems	9	39%	13	57%	1	4%	0	0%
B. Aligning and obtaining fiscal and human resources	14	61%	9	39%	0	0%	0	0%
C. Protecting the welfare and safety of students and staff	23	100%	0	0%	0	0%	0	0%
<b>IV. Collaborating with Key Stakeholders (15%)</b>	<b>15</b>	<b>65%</b>	<b>7</b>	<b>30%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>
A. Collaborate with families and other community members	16	70%	7	30%	0	0%	0	0%
B. Community interests and needs	5	22%	17	74%	1	4%	0	0%
C. Maximizing community resources	7	30%	14	61%	2	9%	0	0%
<b>V. Ethics and Integrity (15%)</b>	<b>22</b>	<b>96%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
A. Ethical and legal behavior	23	100%	0	0%	0	0%	0	0%
B. Personal values and beliefs	17	74%	6	26%	0	0%	0	0%
C. High standards for self and others	21	91%	2	9%	0	0%	0	0%
<b>VI. The Education System (10%)</b>	<b>7</b>	<b>30%</b>	<b>15</b>	<b>65%</b>	<b>1</b>	<b>4%</b>	<b>0</b>	<b>0%</b>
A. Professional influence	8	35%	14	61%	1	4%	0	0%
B. Managing local decisions within the larger educational policy environment	5	22%	16	70%	1	4%	1	4%

Table 7A. Final Evaluation — Panel 1

	<b>Strongly Agree</b>		<b>Agree</b>		<b>Disagree</b>		<b>Strongly Disagree</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
I understood the purpose of this study.	23	100%	0	0%	0	0%	0	0%
The instructions and explanations provided by the facilitator were clear.	21	91%	2	9%	0	0%	0	0%
The training in the standard setting methods was adequate to give me the information I needed to complete my assignment.	20	87%	3	13%	0	0%	0	0%
The explanation of how the recommended cut scores are computed was clear.	18	78%	5	22%	0	0%	0	0%
The opportunity for feedback and discussion between rounds was helpful.	19	83%	4	17%	0	0%	0	0%
The process of making the standard setting judgments was easy to follow.	18	78%	5	22%	0	0%	0	0%

	<b>Very Influential</b>		<b>Somewhat Influential</b>		<b>Not Influential</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>How influential was each of the following factors in guiding your standard setting judgments?</b>						
The definition of the Just Qualified Candidate	17	74%	6	26%	0	0%
The between-round discussions	14	61%	9	39%	0	0%
The cut scores of other panel members	9	39%	11	48%	3	13%
My own professional experience	19	83%	4	17%	0	0%

	<b>Very Comfortable</b>		<b>Somewhat Comfortable</b>		<b>Somewhat Uncomfortable</b>		<b>Very Uncomfortable</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, how comfortable are you with the panel's recommended cut score?	9	39%	9	39%	5	22%	0	0%

	<b>Too Low</b>		<b>About Right</b>		<b>Too High</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, the panel's recommended cut score for the SLLA test is:	9	39%	13	57%	1	4%

Table 7B. Final Evaluation — Panel 2

	<b>Strongly Agree</b>		<b>Agree</b>		<b>Disagree</b>		<b>Strongly Disagree</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
I understood the purpose of this study.	23	100%	0	0%	0	0%	0	0%
The instructions and explanations provided by the facilitator were clear.	17	74%	6	26%	0	0%	0	0%
The training in the standard setting methods was adequate to give me the information I needed to complete my assignment.	22	96%	1	4%	0	0%	0	0%
The explanation of how the recommended cut scores are computed was clear.	18	78%	5	22%	0	0%	0	0%
The opportunity for feedback and discussion between rounds was helpful.	19	83%	4	17%	0	0%	0	0%
The process of making the standard setting judgments was easy to follow.	17	74%	5	22%	1	4%	0	0%

	<b>Very Influential</b>		<b>Somewhat Influential</b>		<b>Not Influential</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>How influential was each of the following factors in guiding your standard setting judgments?</b>						
The definition of the Just Qualified Candidate	20	87%	3	13%	0	0%
The between-round discussions	11	48%	12	52%	0	0%
The cut scores of other panel members	5	22%	14	61%	4	17%
My own professional experience	16	70%	7	30%	0	0%

	<b>Very Comfortable</b>		<b>Somewhat Comfortable</b>		<b>Somewhat Uncomfortable</b>		<b>Very Uncomfortable</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, how comfortable are you with the panel's recommended cut score?	15	65%	8	35%	0	0%	0	0%

	<b>Too Low</b>		<b>About Right</b>		<b>Too High</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Overall, the panel's recommended cut score for the SLLA test is:	0	0%	20	87%	3	13%

## Appendix A

### Definition of a Just Qualified Candidate

1. Knows and uses the basic tenets of problem solving and conflict resolution
2. Collects, analyzes, and synthesizes data for instructional purposes and school processes to make decisions
3. Collaboratively develops and implements a shared vision and mission
4. Supervises, monitors, and evaluates the impact of the instructional program
5. Manages resources in an effective, efficient, and leveraging manner (including financial , human, and physical resources)
6. Knows how to create and maintain a safe school environment
7. Builds and sustains positive relationships with all stakeholders through effective communication and collaboration
8. Able to lead a diverse student population and to meet the needs of all students
9. Models principles of self-awareness, reflective practice *and* transparency ~~and loyalty to a shared vision~~<sup>5</sup>
10. Advocates for children, families and caregivers
11. Understands applicable local, state, and federal laws and guidelines as they affect student learning
12. Acts with integrity, fairness and in an ethical manner toward all stakeholders
13. Knows and *applies* ~~uses~~ the basic tenets of teaching and learning (including the use of technology to support teaching and learning) *as it impacts student achievement*<sup>5</sup>

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<sup>5</sup> Revisions to the JQC definition based on discussions during Panel 2 are indicated.

## Appendix B

### List of Panelists – Panel 1

David W. Adams	Hinds County School District-Utica Elementary/ Middle School (Missouri)
Martin Dickerson	W.O. Krumbiegel Middle School (New Jersey)
Willie S. Dickerson	Williamson County Board of Education (Tennessee)
Maureen Fitzpatrick	Sacred Heart University (Connecticut)
Ann R. Hardy	Vermilion Parish School District (Louisiana)
Patrick Hartnett	Leavitt Area High School (Maine)
Denise Harwood	Eldon R-I Schools (Missouri)
Hamlet M. Hernandez	Hamdew Public Schools (Connecticut)
Ruthanne A. Keller	Davis School District (Utah)
Robert Lyons	Murray State University (Kentucky)
Shirley Marie McCarther	University of Missouri-Kansas City
Suzanne S. McCotter	Montclair State University (New Jersey)
Marjorie E. Miles	Coppin State University (Maryland)
David Lee Parker	Baltimore County Public Schools (Maryland)
Tony Pellegrini	Southern Utah University
Shawn Pelote	D.C. Public Schools (Washington DC)
Perry L. Perkins	University of Kansas
Bridget Thomas	Lake Arthur High School (Louisiana)
David Treick	Cody High School (Wyoming)
Sheila Weathersby-Burbridge	Columbia School District-Columbia High School (Mississippi)
Debra L. Williams	Fayette County School Corporation (Indiana)
R. Kieth Williams	Harding University (Arkansas)
Wayne Yamagishi	Association of California School Administrators

## List of Panelists – Panel 2

Matthew Boggan	Mississippi State University-Educational Leadership Department
Sheila K. Brown	Old Saybrook Public Schools (Connecticut)
Adrian Charley	D.C. Public Schools (Washington D.C.)
Augusta A. Clark	University of Louisiana-Monroe
Troy Clawson	South Callaway High School (Missouri)
Sharonica L. Hardin	St. Louis Public School District (Missouri)
Donnie Renée Johnson	The Schomburg Charter School (North Carolina)
James H. Kirk Jr.	Alcoa City Schools-Alcoa Middle School (Tennessee)
Sharon W. Lair	West Baton Rouge Parish School System (Louisiana)
Renata S. Lantos	Bielefield School-Middletown Public Schools (Connecticut)
William O. Lawson, Jr.	Hinds County School District (Mississippi)
Debbi P. Lindsey	Caverna Independent Schools (Kentucky)
Gary McGuire	Point Loma Nazarene University (California)
Mark C. Mitchell	Alta High School (Utah)
Robert A. Motley	Howard County Public Schools (Maryland)
Bobby I. Occena	Bertie Early College High School (North Carolina)
Tom Pyron	Fulton County Area Technology Center (Kentucky)
Deborah F. Sharpe	Baltimore City Public School System (Maryland)
Elizabeth Vaughn-Neely	University of Arkansas at Little Rock
Kevin J. Walsh	William Patterson University of New Jersey
Jane E. White-Kilcollins	Hilltop Elementary School-Caribou School Department (Maine)
Sylvia H. Wilkins	Dillard Drive Elementary School-Wake County Public Schools (North Carolina)
Linda Wolfskill	Moorcroft Elementary School (Wyoming)

## Appendix C Agenda School Leaders Licensure Assessment Standard Setting Study

### DAY 1

- 8:00 – 8:15 AM Welcome and Introductions
- 8:15 – 9:00 Overview of Standard Setting and Workshop Events  
Sign nondisclosure and complete biographical information form
- 9:00 – 11:00 Review of the SLLA  
Break as needed
- 11:00 – 11:30 Discuss SLLA  
What is being measured?  
What does an entering school (education) leader need to know and do?
- 11:30 – 12:15 PM Define Knowledge/Skills of Just Qualified Candidate
- 12:15 – 1:00 Lunch
- 1:00 – 1:30 Define Knowledge/Skills of Just Qualified Candidate (continued)
- 1:30 – 2:15 Standard Setting Training for Multiple-Choice Questions  
Practice judgments -- first 3 questions  
Complete training evaluation form
- 2:15 – 3:45 Round 1 Standard Setting Judgments for Multiple-Choice Questions
- 3:45 – 4:15 Standard Setting Training for Constructed-Response Questions  
Practice judgments – first question  
Complete training evaluation form
- 4:15 – 4:45 Round 1 Standard Setting Judgments for Constructed-Response Questions
- 4:45 – 5:00 Collect Materials; End of Day 1

**AGENDA**  
**School Leaders Licensure Assessment**  
**Standard Setting**

**DAY 2**

- 8:00 – 8:15 AM Questions From Day 1 and Overview of Day 2
- 8:15 – 10:40 Round 1 Feedback and Discussion
- 10:40 – 11:00 Round 2 Standard Setting Judgments MC and CR Questions
- 11:00 – 11:15 Data Entry; Break
- 11:15 – 12:00 PM Round 2 Feedback and Discussion
- 12:00 – 12:45 Lunch
- 12:45 – 1:00 Round 3 Standard Setting Judgments MC and CR Questions
- 1:00 – 1:30 Specification Judgment Training  
Practice judgments – first specification: *Vision and Goals*
- 1:30 – 1:45 Complete Specification Judgments
- 1:45 – 2:00 Feedback on Round 3 Recommended Cut Score
- 2:00 – 2:15 Complete Final Evaluation
- 2:15 – 2:30 Collect Materials; End of Study

## APPENDIX C

### *School Leaders Licensure Assessment (SLLA) Test at a Glance*

## School Leaders Licensure Assessment (1011)

<i>Test at a Glance</i>				
Test Name	School Leaders Licensure Assessment			
Test Code	1011			
Time	4 hours			
Number of Questions	7 constructed-response questions and 100 multiple-choice questions			
	Content Categories	Percentage of Examination	Multiple-choice questions (approx.)	Constructed response questions
	I. Vision and Goals	20%	18	2
	II. Teaching and Learning	30%	25	3
	III. Managing Organizational Systems and Safety	10%	15	–
	IV. Collaborating with Key Stakeholders	15%	21	–
	V. Ethics and Integrity	15%	21	–
	VI. The Education System	10%	–	2

### About This Test

The School Leaders Licensure Assessment measures whether entry-level education leaders have the standards-relevant knowledge believed necessary for competent professional practice. The content of the assessment was defined by a National Advisory Committee of expert practitioners and preparation faculty and confirmed by a national survey of the field. The content is aligned with the *Educational Leadership Policy Standards: ISLLC 2008*.

The four-hour assessment is divided into two separately timed sections:

**Section I** (2 hours 20 minutes) – 100 multiple-choice questions.

**Section II** (1 hour 40 minutes) – Seven constructed-response questions calling for written answers based on scenarios and sets of documents that an education leader might encounter. Each of the seven constructed-response questions in the test focuses on a specific content area related to the standards addressed in *ISLLC 2008*. In answering the questions, candidates are required to analyze situations and data, to propose appropriate courses of action, and to provide rationales for their proposals.

The seven constructed-response questions will focus on the following content areas:

Standard 1—Vision and Goals	Standard 2—Teaching and Learning	Standard 6— Educational System
<ul style="list-style-type: none"> <li>• Implementation of Vision and Goal</li> <li>• Data Planning</li> </ul>	<ul style="list-style-type: none"> <li>• Professional Culture</li> <li>• Curriculum and Instruction</li> <li>• Assessment and Accountability</li> </ul>	<ul style="list-style-type: none"> <li>• Internal Advocacy</li> <li>• External Advocacy</li> </ul>

## Topics Covered

Representative descriptions of topics covered in each category are provided below.

### I. Vision and Goals

#### A. Vision and goals for teaching and learning

The education leader

- Analyzes multiple sources of information and data about current practice prior to developing/revising a vision and goals
  - Selects the appropriate school goal based on data
  - Analyzes data to write a school goal or determines if vision and goals are appropriate
- Implements a vision and goals with high, measurable expectations for all students and educators
  - Develops a plan for implementing vision and goals
  - Determines if expectations are measurable, rigorous, and connected to vision and goals
  - Discriminates between vision and goals that are measurable and non-measurable for all students
- Assures alignment of the vision and goals to school, local, state, and federal policies
- Discusses and asks critical questions of key stakeholders about the purposes of education
  - Formulates appropriate critical questions to ask about the vision and goals
  - Polls key stakeholders (i.e., students, teachers, aides, parents, school board members, central office administration, superintendent) about the purposes of education (i.e., develop lifelong learners; develop strong citizens) in relation to vision and goals

### B. Shared commitments to implement the vision and goals

The education leader

- Engages staff and community members with diverse perspectives to implement the vision and achieve goals
  - Identifies individuals with diverse perspectives from the internal and external communities
  - Identifies strategies to engage internal and external communities with diverse perspectives to implement the vision and goals
- Develops shared commitments and responsibilities among staff and the community for selecting and carrying out effective strategies toward the vision and goals
  - Builds consensus
  - Develops a plan for distributing responsibilities
- Determines and implements effective strategies to assess and monitor progress toward the vision and goals
- Communicates the shared vision and goals in ways that facilitate key stakeholders' ability to understand, support, and act on them
  - Selects the appropriate communication strategies for particular stakeholders
  - Assesses the effectiveness of communication strategies
- Implements the shared vision and goals consistently

### C. Continuous improvement toward the vision and goals

The education leader

- Uses a data system and multiple sources of data to conduct a needs analysis to identify unique strengths, needs, gaps, and areas of improvement for students and teachers
- Uses data-driven decision making, research, and best practices to shape and monitor plans, programs, and activities to achieve the vision and goals
- Identifies and addresses barriers to achieving the vision and goals
- Implements effective strategies to facilitate needed change
- Engages staff and community stakeholders in planning and carrying out programs and activities
- Aligns planning, change strategies, and instructional programs with the vision and goals
  - Outlines a process and criteria to show how planning, change strategies, and instructional programs support the vision and goals
- Aligns all resources, including technology, to achieve the vision and goals
  - Outlines a process and criteria to demonstrate how resources support achievement of the vision and goals
- Monitors evidence about progress systematically and revises plans, programs, and activities as needed
  - Develops a process that systematically monitors progress towards the vision and goals

## II. Teaching and Learning

### A. Building a professional culture

An education leader

- Develops a shared understanding of and commitment to high standards for all students and closing achievement gaps
  - Creates a culture of high expectations for all students
  - Identifies achievement gaps
  - Develops plans to reduce gaps

- Guides and supports job-embedded, standards-based professional development that meets the learning needs of all students and staff
  - Develops processes to support teacher's growth and interests to support student learning
  - Analyzes situations and recommends appropriate teaching and learning practices
- Models openness to change and collaborative processes
  - Collaborates with all stakeholders to discuss the need for change
  - Demonstrates a willingness to change own position on an issue
- Creates structures, procedures, and relationships that provide time and resources for a collaborative teaching and learning community
  - Promotes mutual benefits and distribution of responsibility and accountability among the teaching and learning community
  - Promotes collaborative teaching and learning opportunities
  - Involves students as appropriate in school improvement teams and processes
- Creates opportunities and a safe environment in which the staff can examine their own beliefs, values, and practices about teaching and learning
  - Provides a safe environment for teachers to express their beliefs and ideas
  - Provides opportunities for teachers to take appropriate risks for improving teaching and learning
- Provides ongoing feedback to teachers using data and evaluation methods that improve practice and student learning
  - Develops a process to provide feedback (e.g., co-teaching, peer coaching, classroom walkthroughs) to increase teacher effectiveness and student performance
  - Participates in collaborative data analysis (e.g., evaluates student work, disaggregates test scores) to increase teacher effectiveness and student performance
- Guides and monitors individual teacher professional development plans and progress for continuous improvement of teaching and learning

## B. Rigorous curriculum and instruction

An education leader

- Develops a shared understanding of rigorous curriculum and standards-based instructional programs
  - Creates a culture supporting rigor and relevance in curriculum and instruction for all stakeholders
  - Ensures school-wide practices and programs focus on a rigorous curriculum and standards-based instruction
  - Collaborates with teachers to develop and maintain an instructional program that ensures the standards-based curriculum is delivered
- Works with teams, including teachers and other instructional staff, to analyze student work and monitor student progress
- Reviews and monitors curricular and instructional programs to ensure student needs are met
  - Identifies student needs
  - Develops plans to meet and monitor identified needs through appropriate curricular and instructional practices
- Provides coherent, effective guidance of rigorous curriculum and instruction
  - Engages actively in appropriate cross-disciplinary efforts to horizontally and vertically align curriculum and instruction
- Assures alignment of curriculum and instruction, student assessments, program evaluation methods, and professional development to content standards
  - Analyzes school improvement documents to ensure these elements are met and linked together systemically
- Assists teachers with differentiated teaching strategies, curricular materials, educational technologies, and other resources
- Ensures diverse needs of each student are addressed
  - Uses data to determine student needs
  - Identifies and accesses resources that are available and needed by involving all stakeholders
- Provides all students with preparation for and access to a challenging curriculum
  - Monitors instructional practices and student progress to assure that all students are prepared for and have access to a challenging curriculum

- Identifies and uses rigorous research- and data-based strategies and practices in ways that close opportunity and achievement gaps
  - Leads staff in implementing strategies and monitoring effectiveness to close opportunity and achievement gaps
- Conducts frequent classroom and school visits and observations to provide constructive and meaningful feedback to faculty and staff
- Develops a plan for frequent classroom and school visits to provide meaningful feedback

## C. Assessment and accountability

An education leader

- Uses assessment and accountability systems to improve the quality of teaching and learning
  - Guides ongoing analyses of data about all students and subgroups to improve instructional programs
- Analyzes multiple sources of data, including formative and summative assessments, to evaluate student learning, effective teaching, and program quality
- Interprets and communicates data about progress toward vision and goals to the school community and other stakeholders
- Supports teachers in development of classroom assessments that are frequent, rigorous, and aligned with the school's curriculum, and provides meaningful feedback for instructional purposes
  - Develops a plan that provides opportunities for collaboration and feedback about classroom assessments

## III. Managing Organizational Systems and Safety

### A. Managing Operational Systems

An education leader

- Develops short term and long-range strategic plans and processes to improve the operational system
- Develops a process to ensure compliance with local, state, and federal physical plant safety regulations
- Facilitates communication and provides for data systems that ensure the timely exchange of information

- Acquires equipment and technology and monitors its maintenance and appropriate use
  - Develops a plan for acquisition and maintenance of equipment and technology
  - Creates an appropriate use policy and monitors compliance

**B. Aligning and obtaining fiscal and human resources**

An education leader

- Allocates funds based on student needs within the framework of local, state, and federal regulations
  - Develops and monitors a budget process that involves appropriate stakeholders
- Implements effective strategies to recruit and retain highly qualified personnel
- Assigns personnel to address student needs, legal requirements and equity goals
- Conducts personnel evaluations that enhance professional practice in accordance with local, state, and federal policies
- Seeks additional resources needed to accomplish the vision

**C. Protecting the welfare and safety of students and staff**

An education leader

- Ensures a safe environment by proactively addressing challenges to the physical and emotional safety and security of students and staff
  - Develops and implements a plan that involves appropriate stakeholders to ensure a safe teaching and learning environment
  - Conducts ongoing reviews of the plan
- Advocates for and oversees counseling and health referral systems that support student learning and welfare
  - Identifies counseling and health needs of students to support student learning and welfare
  - Takes steps to meet the identified needs
- Involves teachers, students, and parents in developing, implementing, and monitoring guidelines and norms of behavior
- Develops with appropriate stakeholders a comprehensive safety and security plan
  - Conducts ongoing reviews of the plan

- Identifies key emergency support personnel in and outside of the school
  - Identifies and documents key emergency support personnel in and outside of the school
  - Communicates the information about key emergency support and school personnel to appropriate parties
- Communicates with staff, students, and parents on a regular basis to discuss safety expectations
  - Documents communication of safety expectations to staff, students, and parents

**IV. Collaborating with Key Stakeholders**

**A. Collaborate with families and other community members**

An education leader

- Accesses and utilizes resources of the school, family members, and community to affect student and adult learning, with a focus on removing barriers to learning
  - Collaborates with key stakeholders to utilize resources and assure barriers to learning are removed
  - Integrates a variety of programs and services, fully engaging the school and the entire community
- Involves families in decision making about their children's education
- Uses effective public information strategies to communicate with families and community members (e.g., email, night meetings, multiple languages)
  - Understands and models the need for two-way communication
- Applies communication and collaboration strategies to develop positive family and local community partnerships, including recognizing and celebrating educational success
  - Organizes internal and external venues and practices to celebrate the school and student success
- Utilizes appropriate strategies for communicating effectively with the media
  - Uses a communication plan shared with key stakeholders
  - Demonstrates an ability to communicate with the media

## B. Community interests and needs

An education leader

- Identifies key stakeholders within the school community, including individuals and groups with competing perspectives
- Engages with the local community in a proactive manner
  - Participates, actively and regularly, in a variety of community events as a school community representative
  - Advocates for the school within the community
- Uses appropriate assessment strategies and research methods to understand and accommodate diverse student and community dynamics
  - Accesses a variety of information sources to continuously learn more about the community and to develop an awareness of trends
- Utilizes diversity representative of the community to strengthen educational programs and planning.
  - Involves members of diverse community groups in all school planning and improvement efforts
- Demonstrates cultural sensitivity and competence by engaging communities in shared responsibilities that improve education and achievement of all students

## C. Maximizing community resources

An education leader

- Collaborates with community agencies that provide health, social, and other services to families and children
- Develops mutually beneficial relationships with business, religious, political, and service organizations to share both school and community resources such as buildings, playing fields, parks, and medical clinics
  - Identifies and documents the relationships and ensures equitable and open access to all groups in all venues as required or legally permissible
- Uses resources from the community appropriately and effectively to support student learning
  - Evaluates the effective use of current community resources in support of student learning
- Seeks community support to sustain existing resources and identifies additional resources as needed

- Provides information to the community about the benefit of existing and needed resources
- Identifies and solicits community resources to support student learning

## V. Ethics and Integrity

### A. Ethical and legal behavior

An education leader

- Models personal and professional ethics, integrity, justice, and fairness, and expects the same of others
  - Behaves in a trustworthy manner
  - Recognizes when ethics have been breached and takes appropriate action
  - Holds self and others accountable for ethical behavior
- Ensures and monitors the use of appropriate systems and procedures to protect the rights and confidentiality of all students and staff
- Uses the influence of the position to enhance education and the common good (e.g., social justice)
- Reinforces transparent (open) decision-making practices by making data and rationales explicit
  - Communicates reasons for decisions as appropriate
  - Develops a plan to facilitate an open decision-making process
  - Disseminates data in a transparent or open manner within legal constraints

### B. Personal values and beliefs

An education leader

- Demonstrates respect for the inherent dignity and worth of each individual
- Models respect for diversity and treating others equitably
- Establishes and maintains an open and inclusive school community
- Uses a variety of strategies to lead others in safely examining deeply held assumptions and beliefs that may conflict with the school's vision and goals
  - Assesses the school culture to determine if there are negative deeply held assumptions and beliefs that could impact teaching and learning

- Challenges assumptions and beliefs respectfully as they may adversely affect students and adults
  - Recognizes factors that may adversely affect students and adults and takes appropriate action
  - Assesses the school culture to determine if there are negative deeply held assumptions and beliefs that could impact students and adults

### C. High standards for self and others

An education leader

- Reflects upon own work, analyzes strengths and weakness, and establishes goals for professional growth
  - Develops a personal plan for professional growth and development
- Models and encourages continuous professional growth
- Administers educational policies equitably and legally
- Refocuses attention on vision and goals when controversial issues arise
  - Develops a process that involves all stakeholders on refocusing attention on vision and goals
- Holds others accountable for ethical behavior

### B. Managing local decisions within the larger educational policy environment

An education leader

- Communicates data about educational performance to inform decision-making and improve policy
  - Engages in appropriate lobbying and political activism to communicate data about educational performance in order to inform decision-making and improve policy
- Communicates effectively with key decision makers to improve public understanding of local, state, and federal laws, policies, regulations, and statutory requirements
- Advocates for excellence and equity in education

## VI. The Education System

### A. Professional influence

An education leader

- Facilitates constructive discussions with the school community about local, state, and federal laws, policies, regulations, and statutory requirements
  - Explains policies and regulations to the school community
  - Listens to questions and problems and interacts with the school community to increase understanding
- Develops relationships with stakeholders and policymakers to identify, respond to, and influence issues, trends, and potential changes that affect the context and conduct of education
- Advocates for equity and adequacy in providing for students and families' needs (educational, physical, emotional, social, cultural, legal, and economic) to meet educational expectations and policy requirements

## Sample Scoring Guide for Constructed Response Questions

All constructed response questions will be scored on a 0 to 3 scale. The scoring guides for different questions are parallel in terms of the levels of knowledge and skills indicated by each score point. However, scoring guides are tailored to the specific area addressed by the question. The following is a scoring guide for a constructed response question addressing knowledge and skills in

### I. Vision and Goals

...

### B. Shared commitments to implement the vision and goals

#### A response that receives a score of 3:

Demonstrates a **thorough understanding** of how to develop shared commitments and responsibilities among staff and the community for carrying out the vision and goals and/or communicating the vision and goals in ways that facilitate key stakeholders' ability to understand, support, and act upon the vision and goals.

A typical response in this category

- Demonstrates strong knowledge of principles of communication and group processes (building consensus, motivating, and team building)
- Demonstrates strong knowledge of implementation and/or change strategies
- Provides a clear and specific response to the question asked
- Prioritizes, outlines, or organizes steps or actions in a logical and insightful manner
- Provides logical and reasonable rationales for answers when requested

#### A response that receives a score of 2:

Demonstrates a **basic/general understanding** of how to develop shared commitments and responsibilities among staff and the community for carrying out the vision and goals and/or communicating the vision and goals in ways that facilitate key stakeholders' ability to understand, support, and act upon the vision and goals.

A typical response in this category

- Demonstrates adequate knowledge of principles of communication and group processes (building consensus, motivating, and team building)
- Demonstrates adequate knowledge of implementation and/or change strategies
- provides an appropriate response to the question asked

- Prioritizes, outlines, or organizes steps or actions in an orderly manner
- provides acceptable rationales for answers when requested

#### A response that receives a score of 1:

Demonstrates a **limited understanding** of how to develop shared commitments and responsibilities among staff and the community for carrying out the vision and goals and/or communicating the vision and goals in ways that facilitate key stakeholders' ability to understand, support, and act upon the vision and goals.

A typical response in this category reveals one or more of the following weaknesses

- Demonstrates limited knowledge of principles of communication and group processes (building consensus, motivating, and team building)
- Demonstrates limited knowledge of implementation and/or change strategies
- Provides an uneven or unclear response to the question asked
- Prioritizes, outlines, or organizes steps or actions unclearly or with gaps in logic
- provides partial or limited rationales for answers when requested

#### A response that receives a score of 0:

Demonstrates **little or no understanding** of how to develop shared commitments and responsibilities among staff and the community for carrying out the vision and goals and/or communicating the vision and goals in ways that facilitate key stakeholders' ability to understand, support, and act upon the vision and goals.

A typical response in this category reveals one or more of the following weaknesses

- Demonstrates weak or no knowledge of principles of communication and group processes (building consensus, motivating, and team building)
- Demonstrates weak or no knowledge of implementation and/or change strategies
- Provides a vague or inappropriate answer to the question
- Fails to prioritize, outline, or organize steps or actions or does so illogically
- provides a weak, inappropriate, or illogical rationale or does not provide a rationale when one is requested

No credit is given for a blank or off-topic response.

## Sample Test Question for Implementing Vision and Goals

*The sample question that follows illustrates the kind of question in the test. It is not, however, representative of the entire scope of the test in either content or difficulty. Answers with explanations follow the question.*

A new principal in a suburban school district with six elementary schools has been asked to support the continuing implementation of a non-traditional math program at her school. The program was implemented district-wide three years ago amidst considerable concern from parents and staff. Frequent evaluation of the program has shown that students' conceptual understanding is exceptional, but their computation performance varies from year to year and consistently falls below their conceptual understanding. While significant concerns still linger among parents and staff, parent satisfaction has increased by 20% in the last year and dissatisfaction has declined by one-third. The site evaluation team has established several recommendations, including improving communication with parents and providing professional development for teachers.

### Question

Identify and describe at least three steps the principal can take to gain further support for the program and decrease the dissatisfaction levels.

### Sample 1: Score 3

As the new principal, there are several steps that I would take to gain further support and decrease the level of dissatisfaction with the new math program.

First, I would establish monthly math nights. These events would allow parents to attend with their children and participate together in a lesson presented by the teacher. The parents would get a better understanding of the math program and learn how they can help their children at home.

I would also establish a math homework hotline. This hotline would be staffed by teachers each evening and would be a resource for both students and parents to call with questions and assistance. Besides helping with a particular assignment, this would also be a great way to lessen parents' frustrations with the new program and as a result decrease their dissatisfaction.

Another step would be to survey staff to see if they need additional professional development. After the survey results were analyzed, there are many types of professional development that I would use, such as mentors, attending conferences, bringing in outside resources, and visiting nearby schools that have successfully implemented the same math program.

Finally, I would require teachers to increase communication with parents. This could be done by having the teacher write a "math gram" to parents at the beginning of each new unit. The newsletter would explain the concepts of the new unit and give parents ideas on how to do fun math things at home.

### Comments on Sample 1: Score 3

This response demonstrates the complexity of the situation and the need to bring key stakeholders on board for the program to ultimately succeed. It begins by acknowledging that the problem will take multiple steps to solve and that the most pressing need is to increase overall familiarity with and support for the program. The principal seeks to develop shared commitments and responsibilities by establishing math nights and a math homework line. These two actions will bring key stakeholders (parents, teachers, and students) together in ways that will foster greater acceptance of the math program. To increase support for the program among staff, the principal recommends using a professional development survey and identifies several activities that would increase teacher knowledge of the new math program. Finally, the principal will use teachers to communicate the direction of the math program with parents by implementing a regular newsletter. Stakeholder to stakeholder communication will strengthen support for the math program. Holistically, the response is clear and organized and the answers given are acceptable and well developed. Overall, this response demonstrates a thorough understanding of how to increase support for a program by developing shared commitment among stakeholders.

### **Sample 2: Score 1**

Moving from a traditional computation based math program to a non-traditional concept based math program can be very divisive. Teachers can be resistant to change, especially experienced staff who feel they have been successful using the traditional approach. Parents want to be able to help their children with homework and class assignments and expect assignments to reflect how they were taught. As a result, the biggest challenge facing the principal is getting parents to understand and support the new math program.

The principal can improve parent support and understanding by providing the following opportunities for training.

A parent workshop or a math fun night could be arranged at the beginning of the school year, to explain the math program and to allow parents to view the materials and learn some ways to help their children.

### **Comments on Sample 2: Score 1**

This response focuses on why high dissatisfaction among stakeholders can occur when new math programs are used. This is not the focus of the question. The question asks for the identification and description of at least three steps that a principal can take to increase satisfaction and decrease dissatisfaction for the new math program. By listing only one step that the principal could take, a parent workshop or math fun night and the potential activities that would go on at that event, the response demonstrates only a limited understanding of the need to develop shared commitments and responsibilities among stakeholders.

## Sample Test Questions

*The sample questions that follow illustrate the kinds of questions in the test. They are not, however, representative of the entire scope of the test in either content or difficulty. Answers with explanations follow the questions.*

**Directions:** Each of the questions or statements below is followed by four suggested answers or completions. Select the one that is best in each case.

Questions 1-3 are based on the following scenario.

A principal has been appointed to an elementary school in which the scores on the fourth-grade state language-arts tests have been decreasing each year for the past three years. The weakest area is writing. With a goal of improving writing instruction, the principal and the fourth-grade teachers decide to set aside time to examine and discuss student writing samples as a group.

1. Each teacher brings copies of student writing samples to share with the group. Which of the following actions should the teachers take first to improve instruction?
  - (A) Conducting an analytical review of all papers to assign scores
  - (B) Reviewing all papers to identify common areas of weakness
  - (C) Targeting students in need of remediation based on the samples provided
  - (D) Identifying benchmark-quality samples to use as exemplars for next year's instruction
  
2. Over the course of several weeks, the principal observes each of the fourth-grade teachers. In light of the concern about improving students' scores on language-arts assessments, the principal's primary concern should be whether the teachers
  - (A) align their lesson objectives with their teaching strategies and materials
  - (B) match their lesson plans with the lessons actually taught
  - (C) include teaching strategies that meet the needs of diverse learners
  - (D) match their lesson objectives with the fourth-grade language-arts standards
  
3. Which of the following two pieces of information would be most relevant for the principal to use to help the teachers determine strategies for improving fourth-grade students' achievement in language arts?
  - (A) The school's vision statement and student demographic information
  - (B) The language-arts block schedule for the fourth-grade classrooms and the reading levels of each fourth-grade student
  - (C) The language-arts standards for fourth-grade students and disaggregated standardized test data
  - (D) The educational background and years of experience of the fourth-grade teachers
  
4. Recommended practice suggests that which of the following should be involved in the decision-making process concerning curriculum?
  - I. Curriculum experts
  - II. Boards of education
  - III. Professional staff
  - IV. Students
  - (A) I and III only
  - (B) II and III only
  - (C) III and IV only
  - (D) I, II, and III only
  
5. Which of the following is the most crucial question to consider in using community resources in the classroom?
  - (A) Can the resources be used by several groups at the same time?
  - (B) Have such resources been overused?
  - (C) Do the resources meet the needs of the program?
  - (D) What time limits have been established for the use of the resources?

6. A group of high school English teachers have approached the newly appointed department chair with concerns about the existing curriculum. The teachers explain that the curriculum has not been revised in nearly ten years and is out of date. In response to the teachers' concerns, the department chair should first
- (A) review the research on exemplary high school English programs
  - (B) convene a meeting with the parents, superintendent, and board of education to gather their input
  - (C) collaborate with the teachers to examine the alignment between the existing curriculum and state standards
  - (D) immediately begin to analyze the curriculum and observe classroom instruction
7. According to due process, teachers are entitled to
- (A) the presence of a defense counsel at any hearing and the right to refuse to testify
  - (B) adequate notice of the charges against them and a hearing in which they have the opportunity to defend themselves against those charges
  - (C) an appeal of an adverse decision and exemption from disciplinary action while the appeal is being decided
  - (D) a cross-examination of an adverse witness and the control of conditions under which such examination takes place
8. Of the following evaluation methods, which would provide the most valid indication of the success of a course of study in meeting its instructional goals?
- (A) Compiling results of a survey of the students' opinions of the course
  - (B) Reviewing anecdotal records that describe students' interpersonal growth during the course
  - (C) Reviewing data that indicates the degree of students' mastery of course objectives
  - (D) Surveying parents about the students' transfer of concepts learned in the course
9. The newly appointed principal of an elementary school is concerned about the performance of the fourth grade on the state standardized tests for mathematics. Which of the following should be the principal's initial step in developing a plan to improve students' scores?
- (A) Hire a staff developer to teach staff innovative approaches to mathematics instruction
  - (B) Collect information about the instructional methods, materials, and assessments currently in use
  - (C) Conduct a curriculum audit of the mathematics program at all grade levels
  - (D) Administer another assessment to identify specific areas of weakness in students' performance
10. A department chair is concerned about a few students in the advanced-level biology class who have received barely passing or failing grades on their first-marking-period report cards while their classmates have performed well. Which of the following areas of investigation is likely to provide the most valuable information for explaining the weak performance of some students?
- (A) Teacher records of tests grades, homework assignments, and class participation
  - (B) National Science Education content standards for the appropriate grade level
  - (C) The currency and appropriateness of the instructional materials in the course
  - (D) Admission standards for the advanced-level science classes

## Answers

1. This question focuses on the school leader's understanding of how to provide instruction that meets the standards of rigor measured by standardized assessment. Choices (A) and (D) describe steps in the process, but neither would be the initial step. Choice (C) may serve to address weaknesses in a specific group but does little to improve overall writing instruction. Identifying specific areas of weakness will help teachers focus instruction and assessment on those areas most likely to be adversely affecting students' scores. Therefore, the correct answer is (B).

2. This question tests the school leader's knowledge of factors that affect standardized test results. Choices (A), (B), and (C) are all sound practices but do not address the primary focus of the question. The principal needs to verify whether there is an alignment between lesson objectives and state standards, which serves as the basis of state standardized tests. Therefore, the correct answer is (D).

3. This question tests the school's leader's knowledge of information necessary to make instructional decisions. For the purpose of determining strategies to improve fourth-grade students' achievement, it is important to know the standards and test data. The standards serve as the foundation for the curriculum and knowing what to teach. Disaggregated test data would clarify both the areas that have been addressed and which areas need to be targeted. Therefore, the correct answer is (C).

4. Curriculum experts, boards of education, and school professional staff should all be part of the decision-making process concerning curriculum matters. Choice (D) includes all three groups and is the correct answer.

5. This question asks a school leader to determine which of many considerations is most important when community resources are integrated into classroom instruction. Choices (A), (B), and (D) become considerations only after it has been determined that the resources support the needs of the program. Therefore, the correct answer is (C).

6. This question tests the school leader's knowledge of how state standards are used to measure the quality and appropriateness of a curriculum. Choices (A) and (B) are actions that may be taken during the course of curriculum revision but would not be the initial step. Choice (D) would provide unreliable information because teachers who have already acknowledged the inappropriateness of the current written curriculum would most likely not be following it consistently. Involving the teachers in the examination of the curriculum as measured against benchmarks would provide the most useful information for moving the curriculum process forward; therefore, the correct answer is (C).

7. This question tests the school leader's knowledge of the basic due process protections afforded to school personnel. Although individual teacher contracts, local school board policies, or collective bargaining agreements may offer the additional protections described in choices (A), (C), and (D), only those described in choice (B) are guaranteed to all personnel under the Constitution and key court rulings. Therefore, (B) is the correct answer.

8. This question tests the school leader's understanding of how to select the most accurate method for evaluating the effectiveness of a course of study in meeting its learning objectives. Choices (A), (B), and (D) will provide information on the effectiveness of a course in meeting other objectives. However, only choice (C) provides evaluative information directly related to students' understanding of the knowledge and skills as described in the course's instructional goals. Therefore, the correct answer is (C).

9. This question tests the school leader's understanding of the steps in the process of addressing an educational problem. Choices (A) and (C) are valid actions but would occur later in the process. Choice (D) is unnecessary because information on areas of weakness will have been provided in the scoring data of the state assessment. Gaining a sense of the overall fourth-grade mathematics program as it currently exists will most likely result in the identification of specific areas needing improvement. Therefore, the correct answer is (B).

10. This question tests the school leader's ability to select the appropriate data for providing specific educational information. Looking at teacher records will offer evidence of students' weak performance but not an explanation. Examining choices (B) and (C) might indicate inconsistencies that would likely affect the performance of all the students, not just a few. When students experience difficulty in a class from the onset, one reasonable explanation can be that the criteria used for their placement are not appropriate. Therefore, the correct answer is (D).



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## APPENDIX D

*School Leaders Licensure Assessment (SLLA)  
State Passing Scores (as of November 9, 2009)*

## Revised School Leaders Licensure Assessment (SLLA)

### State Passing Scores (as of November 9, 2009)

<u>State</u>	<u>Score</u>
Arkansas	No Score Set Yet
Connecticut	No Score Set Yet
District of Columbia	163
Indiana	163
Kansas	165
Kentucky	No Score Set Yet
Maine	No Score Set Yet
Maryland	No Score Set Yet
Mississippi	169
Missouri	163
New Jersey	163
North Carolina	163
Tennessee	No Score Set Yet
Utah	163
Virgin Islands	156

## APPENDIX E

*School Leaders Licensure Assessment (SLLA)  
Scaled Score Distribution for Entire Sample  
For SLLA2 – September 2009 Administration*

***Scaled Score Distribution for Entire Sample  
For SLLA2 -- September 2009 Administration***

<b>Scaled Score</b>	<b>Frequency</b>	<b>Cumulative Percent</b>
196	1	0.09
195	1	0.17
194	1	0.26
193	4	0.61
192	5	1.04
190	3	1.30
189	11	2.25
188	9	3.03
187	15	4.33
186	18	5.89
185	22	7.80
184	26	10.05
183	42	13.69
181	42	17.33
180	43	21.06
179	41	24.61
178	42	28.25
177	55	33.02
176	42	36.66
175	52	41.16
174	47	45.23
172	43	48.96
171	60	54.16
170	45	58.06
169	38	61.35
168	41	64.90
167	46	68.89
166	43	72.62
165	27	74.96
164	33	77.82
162	34	80.76
161	24	82.84
160	28	85.27
159	18	86.83
158	22	88.73
157	19	90.38

***Scaled Score Distribution for Entire Sample  
For SLLA2 -- September 2009 Administration***

<b>Scaled Score</b>	<b>Frequency</b>	<b>Cumulative Percent</b>
156	19	92.03
155	16	93.41
153	15	94.71
152	10	95.58
151	4	95.93
150	6	96.45
149	4	96.79
148	3	97.05
147	3	97.31
146	4	97.66
144	3	97.92
143	2	98.09
142	5	98.53
141	3	98.79
140	4	99.13
139	3	99.39
138	1	99.48
137	1	99.57
133	2	99.74
132	1	99.83
131	1	99.91
123	1	100.00

*Scaled Score Distribution for Entire Sample  
For SLLA2 -- September 2009 Administration*

*The MEANS Procedure*

Analysis Variable : Scaled Score				
N	Mean	Std Dev	Minimum	Maximum
1154	170.69	10.73	123.00	196.00

# Board of Education Agenda Item

Item: \_\_\_\_\_ K. \_\_\_\_\_

Date: November 17, 2009

**Topic:** Report from the Board of Education's Charter School Application Review Committee on a Proposed Public Charter School Application

**Presenter:** Mrs. Eleanor Saslaw, Board of Education Member and Chair of the Charter School Application Review Committee

**Origin:**

\_\_\_\_\_ Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
\_\_\_\_\_ Board of Education regulation  
\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ Action requested at this meeting    \_\_\_\_\_ Action requested at future meeting

**Previous Review/Action:**

No previous board review/action

\_\_\_\_\_ Previous review/action  
date \_\_\_\_\_  
action \_\_\_\_\_

Topic presented for information only (no board action required)

**Background Information:** Section 22.1-212.9 of the *Code of Virginia* provides that a public charter school applicant may submit its proposed charter application to the Board of Education for review and comment. The law stipulates that the Board shall examine the application for feasibility, curriculum, and financial soundness. At its July 21, 2004, meeting, the Board of Education adopted a process and approved criteria for examining charter school applications. As part of the process, a committee was established to evaluate applications based on the established criteria. The committee is required to submit a report to the Board of Education.

**Summary of Major Elements:** The Exodus Institute School of Business and Technology from Petersburg, Virginia, submitted a charter school application to the Board of Education for review. Mrs. Eleanor Saslaw will give an oral presentation summarizing the report prepared by the committee. The committee reviewed the application based on the criteria established by the Board and stipulated in the law. Attachment A contains the summary report prepared by the committee.

**Superintendent's Recommendation:** N/A

**Impact on Resources:** There is a minimum impact on resources. The agency's existing resources can absorb costs at this time.

**Timetable for Further Review/Action:** No further action is required at this time.

**Virginia Board of Education's  
Charter School Application Review Committee**

**Summary Report for Application Submitted by  
Exodus Institute School of Business and Technology Charter School  
Petersburg, Virginia**

**November 17, 2009**

The Charter School Application Review Committee met to examine the public charter school application submitted by the Exodus Institute School of Business and Technology in Petersburg, Virginia. The committee reviewed the application for the following criteria established by the Board of Education and stipulated in the *Code of Virginia*: 1) feasibility, 2) curriculum, and 3) financial soundness. A summary report of the committee's findings is submitted below.

**Area 1: Feasibility**

Under the area of feasibility, the applicant addressed the four required topics. These topics were: 1) mission statement; 2) goals and educational objectives that meet or exceed the Standards of Learning; 3) evidence of support from parents, teachers, pupils, and residents of the school division in support of the formation of the charter school; and 4) statement of need. The committee made suggestions for the applicant in each of these areas.

**Area 2: Curriculum**

Under the area of curriculum, the applicant addressed the four required topics. These topics were: 1) the public charter school's educational program; 2) pupil performance standards; 3) pupil evaluation including assessments, timeline, and corrective action; and 4) a timeline for the achievement of the stated standards and goals and a procedure for corrective action if student performance falls below the stated standards and goals. The committee made suggestions for the applicant in each of these areas.

**Area 3: Financial Soundness**

Under the area of financial soundness, the applicant addressed the one required topic: a financial plan that included evidence of economical soundness, a proposed budget, and an annual audit. The committee made suggestions for the applicant in this area.



**Impact on Resources:**

There is no anticipated impact on resources.

**Timetable for Further Review/Action:**

No further review or action is required unless desired by the Board.

**VIRGINIA STATE SPECIAL  
EDUCATION ADVISORY  
COMMITTEE ANNUAL  
REPORT**

**JULY 2008 - APRIL 2009**

# INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain a state advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The statute specifies membership and requires that a majority of members be individuals with disabilities or parents of children with disabilities, specifically, the statute requires the following:

- “(i) parents of children with disabilities (ages birth through 26);
- (ii) individuals with disabilities;
- (iii) teachers;
- (iv) representatives of institutions of higher education that prepare special education and related services personnel;
- (v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
- (vi) administrators of programs for children with disabilities;
- (vii) representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- (viii) representatives of private schools and public charter schools;
- (ix) not less than 1 representative of a vocational community, or business organization concerned with the provision of transition services to children with disabilities;
- (x) a representative from the State child welfare agency responsible for foster care; and
- (xi) representatives from the State juvenile and adult corrections agencies.”

In Virginia the panel is known as the State Special Education Advisory Committee (SSEAC).

# COMMITTEE ORGANIZATION

The activities of the Virginia State Special Education Committee (SSEAC) are governed by the Virginia Board of Education bylaws for advisory committees. The SSEAC year commences on July 1 and ends on June 30 of the following calendar year. An executive subcommittee works with the Virginia Department of Education (VDOE) staff in establishing priorities and agenda items for future SSEAC meetings. The SSEAC delegates various subcommittees to monitor programmatic issues and future items of concern. For the 2008-2009 year, the subcommittees were structured as follows:

## STANDING SUBCOMMITTEES

**Executive** – The Executive Subcommittee includes the Chair, the Vice-chair, the Secretary, and three At-large members. The committee establishes priorities for meeting agenda and provides overall direction to the SSEAC.

**Nominating** – The Nominating Subcommittee is charged with nominating a slate of officers for Executive Subcommittee vacancies.

**State Operated Programs Annual Plan Review** – This subcommittee conducts a review of the annual special education plans submitted by state operated programs and the Virginia School for the Deaf and the Blind.

**Policy & Regulations** – This subcommittee reviews proposed regulations and prepares official comment language for consideration by the full SSEAC.

## ADHOC SUBCOMMITTEES

**Constituency Involvement** – This subcommittee addresses ways to involve parents, students, and other community constituents in SSEAC activities as well as in local special education training and parent involvement activities.

**Response to Intervention (Rtl)** – This subcommittee addresses the process of the Rtl initiatives throughout the state and focuses on its future implementation.

**Personnel** – This subcommittee addresses concerns regarding the availability of fully licensed, highly qualified special education teachers and related service providers, in addition to the caseload requirements of service provision.

Staff members serve as consultants to each of the subcommittees, providing technical assistance, clarification of Department of Education procedures, and additional information.

SSEAC members are assigned a minimum of one standing and one Ad Hoc subcommittee based upon each member's expertise, interests, and concerns. Each executive committee member serves as a chair for a subcommittee. Subcommittees meet independently and make recommendations to the full committee. Such recommendations may result in further study with additional information from the VDOE, presentations to the SSEAC, or inclusion in the Annual Report to the Board of Education.

# MEETINGS

The full committee meets in regular session four times each year, while subcommittees meet as necessary to fulfill their responsibilities to the SSEAC. Every effort is made to consolidate the work of subcommittees to the regular sessions. All meetings and work sessions are open to the public. The public is offered an opportunity to make comment during specified time allotments at each meeting. All regular meetings are recorded to assist with record keeping and the recordings are maintained by the VDOE in accordance with record keeping policies and procedures.

Prior to the 2008-2009 year, two of the four SSEAC meetings were held outside of the Richmond area in various regions around the Commonwealth. Due to the significant VDOE staff travel involved with this arrangement, all meetings are now held in Richmond. During the 2008-2009 year, meetings were held on the following dates:

July 17-18, 2008

October 23-24, 2008

February 5-6, 2009

April 23-24, 2009

Prior to each meeting, the SSEAC distributes a flyer to notify the constituents and stakeholders of the upcoming meeting. Members are given copies for distribution to their constituency groups. In addition, the SSEAC, in coordination with the Virginia Board for People with Disabilities, supports and assists in maintaining a database of constituents interested in special education and information sharing. The information from each flyer is distributed through this shared network, named Virginia Special Education Network (VSEN).

Historically, the SSEAC has conducted evening public forums to generate informal exchange between the public and committee members designated meetings. At the April 2009 meeting, the committee approved a motion to replace the informal forum with an evening public comment period to provide such opportunities for constituents who are unable to attend the meeting during the day. This provision was for three consecutive meetings, beginning July 2009, after which the committee will evaluate this change.

The meeting schedule for the 2009-2010 year is:

July 23-24, 2009

October 15-16, 2009

February 11-12, 2010

April 15-16, 2010

Interest remains with members that meetings be held in locations other than Richmond to provide constituents an opportunity to participate with the SSEAC.

# PRESENTATIONS

During the year presentations were made to the committee by members of the VDOE staff as well as other agencies and organizations. Topics included:

- Status of speech/language services
- Resources for students who are deaf/hard of hearing
- Updates on the Virginia Schools for the Deaf and the Blind
- Programs and services for secondary students with disabilities
- Virginia's Special Education Annual Performance Report
- Inclusion and collaboration initiatives, including those for preschool children with disabilities
- Status of early intervention services
- The state funding process for special education
- The VDOE statewide Effective Schoolwide Discipline project
- Updates on parent involvement activities
- State and local special education data profiles
- The Virginia Grade Level Alternative Assessment
- Disability Navigator
- Update on AIM-VA (Virginia Accessible Instructional materials Center)
- Amendments to the Americans with Disabilities Act

## **PUBLIC COMMENTS**

A public comment period was held at each meeting. VDOE staff members respond to the comments individually according to the subject and the concern. Further, the full committee reviews the previous meeting's comments with the actions of department staff. During the 2008-2009 year, public comments related to:

- lack of appropriate training for school personnel working with students with disabilities
- work being done by local special education advisory committees
- the SSEAC's public comment to the Board of Education regarding regulations revisions
- appreciation for the support of the Parent Education Advocacy Training Center (PEATC) organization
- concerns for provision of a free appropriate public education (FAPE) for the Limited English Proficient (ELP) population
- concerns for the lack of guidance and rules regarding the use of seclusion and/or restraints in public schools
- the educational needs of the twice-exceptional population and a request to the committee to collaborate with the gifted education committee
- clarification of the membership of local advisory committees
- concerns regarding the time necessary to learn the grade level SOL for students with disabilities and requests for the modification of curriculum content to foster mastery of core concepts
- concerns for the students who are not assessed properly, because as their achievement level falls between alternate assessments, and grade-level assessments (i.e., "gap" kids).
- use of the terms emotionally disturbed and mentally retarded as having a devastating effect on young children ages 6-9, believe that the labeling of developmentally delayed more appropriate

# ISSUES ADDRESSED BY THE SUBCOMMITTEES OF THE SSEAC

## PERSONNEL

### Federal and State Supported Grant Activity

Members of the Personnel Subcommittee, not affiliated with colleges or universities, served as proposal reviewers for Traineeships for Education of Special Education Personnel through IDEA Part B Funds. These traineeships are intended to provide resources to special education personnel preparation programs and teacher candidates who are seeking a five-year renewable license in special education: general curriculum. Awards were made to George Mason University and Old Dominion University to deliver statewide licensure programs to teachers of students with disabilities accessing the general curriculum.

Federal grants have been obtained by several Institutions of Higher Education (IHEs) in the state to supplement state funding and Virginia was very successful in obtaining planning grants to produce highly qualified new special education teachers, with Virginia IHEs getting four of nine nationally funded projects.

### Recruitment Initiatives

The Personnel Subcommittee members were asked to recommend strategies for recruiting new candidates for a career in special education. After a discussion of *Teach Virginia* and *Teachers Rock* campaigns, the committee members suggested that new recruitment efforts be focused on college-age students, rather than high school or elementary school students, since college-age students are more likely to make career decisions in the near future. With the current state of the economy and employment problems of current graduates, the committee suggested that the time is right to focus on freshmen, sophomores and juniors in college.

Personnel from the Division of Teacher Education and Licensure and Division of Special Education and Student Services reviewed a draft marketing plan which includes the following activities:

- Coordinate the Teachers Rock campaign with the Teachers for Tomorrow program and strengthen the relationship with high school transition specialists. Teachers for Tomorrow programs offer high school students the opportunities to explore careers in education while in high school.
- Create a stronger alliance with Virginia Associations of Colleges and Employers to explore college options for students with disabilities (including information on Virginia College Quest).

## **Personnel Preparation Initiatives**

The Personnel Subcommittee has worked for several years to promote specialized preparation programs across the state. Two of these programs were implemented during the last year. These programs include:

- The Aspiring Special Education Leaders program started with an initial cohort of 30 school division nominees. Members of the aspiring leaders' cohort were guests of the SSEAC at the February 2009 meeting.
- The Vision Impairment Consortium was initiated with ODU, GMU, NSU, RSU and JMU participating. The formal approved program was submitted and the program of study was approved by VDOE.

## **RESPONSE TO INTERVENTION (RtI)**

The RtI subcommittee was formed in 2008 for the purpose of keeping current on the state's implementation of RtI. Ms. Susan Trulove, RtI specialist, VDOE, provided an overview of the RtI framework. She shared copies of Virginia's RtI guidance document entitled "Responsive Instruction: Refining Our Work of Teaching All Children." A list of the fifteen pilot schools supported by VDOE and a schedule of upcoming RtI monthly pilot training sessions across the state were also provided. This subcommittee discussed possible ways the SSEAC could help promote RtI such as sharing information with parents and local advisory committees (LACs).

The subcommittee reviewed and commented on a draft monograph entitled "Frequently Asked Questions (FAQ) Response to Intervention and the Eligibility Process." The FAQ monograph, a supplement to the guidance document, is designed to assist school divisions in their implementation of RtI as it relates to the special education eligibility process. In addition to the subcommittee's review of the draft document, feedback was sought from other stakeholders as well. The monograph was revised in response to stakeholders' comments. The subcommittee will continue to receive updates and look into how schools that are not pilot sites are implementing RtI. The subcommittee will be interested in challenges and questions that are confronted when implementing RtI such as delay of referral for special education evaluation, referrals for special education evaluation when there were no or limited research-based instruction/intervention.

## **POLICY & REGULATION**

In response to the final public comment period for the revisions to state special education regulations, the subcommittee met on April 23 to review the previously submitted SSEAC public comment regarding the proposed revisions. The committee agreed to present two issues to the full SSEAC for consideration of public comment:

## **Age of Eligibility – Developmental Delay: Changes from 2-8 to 2-5**

Supports maintaining language from 2002 regulations, which allow the LEA option for DD for ages 5-8

*Rationale: Moving the mandatory age to 6 reduces the school's flexibility.*

## **Local special education advisory committee composition – LEA staff as voting member**

Support the LAC composition remaining the same as in the 2002 regulations

*Rationale: If a teacher is permitted to be a voting member on LACs, in smaller LAC's, there may be undue influence by people who are paid by the system.*

The SSEAC approved the subcommittee recommendations on April 24 and transmitted the comment to the VDOE.

## **CONSTITUENCY INVOLVEMENT**

Members discussed possible options for future meeting arrangements to involve more constituents. Web conferencing and other options might be available. They also discussed updating contact information and the use of Listservs. The subcommittee recommended that all constituency representatives to the SSEAC utilize the flyer to advertise committee meetings and to take advantage of their networking lists to communicate with their constituency groups.

## **STATE OPERATED PROGRAMS**

The subcommittee met April 30, 2009, to review the annual plans submitted by the state operated programs and the Virginia School for the Deaf and the Blind.

## **OTHER ISSUES**

### **RESTRAINT & SECLUSION**

The SSEAC has addressed the use of restraint and seclusion of students with disabilities and worked collaboratively with the VDOE to prepare the guidelines document issued in 2006. During the 2008-2009 year, the committee expressed renewed interest in this issue and requested and received from the department a status report on the implementation of the policies and procedures recommended in the guidelines.

### **VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND**

Through reports from department staff, the SSEAC monitored the transition of students from the closed Hampton school to the Staunton campus or to their local divisions. The committee was also apprised of the renovations of the Staunton campus.

## **ASSESSMENT AND ACCOUNTABILITY**

The Virginia Modified Achievement Standard Test (VMAST) was introduced to the committee and continues to be monitored as completion and pilot testing proceed. The SSEAC is represented on the steering committee of this new assessment tool. The SSEAC continues to study the reports of the State Performance Plan/Annual Performance Report (SPP/APR), specifically the indicators related to results of assessment for students with disabilities.

## **ACCESS TO GENERAL CURRICULUM**

The volume of public comment directed toward the accessibility of general curriculum in the least restrictive environment prompted several discussions and presentations of inclusive practices throughout the state. The SSEAC will continue to focus on the programming, staff development, and accountability measures to assure access to the general curriculum in the least restrictive environment for students with disabilities. Appropriate accommodations, improved access to instructional specialists, and appropriate assessment are ongoing concerns to be pursued on a regular basis.

## **YOUTH SELF-DETERMINATION**

The SSEAC received an overview of the self-advocacy and self-determination projects being implemented throughout the state. Middle school transition plans were also linked to those projects. The SSEAC continues to support the promotion of the increased involvement of self-advocates. The committee was briefed by VDOE staff that youth leaders with disabilities recently advocated for the Governor to declare October as disability history and awareness month in Virginia.

## **VIRGINIA ACCESSIBLE INSTRUCTIONAL MATERIALS CENTER (AIM-VA)**

The SSEAC was informed of Virginia's initiative to address the federal NIMAS (National Instructional Materials Accessibility Standards) for students with disabilities who require alternate print, Braille, or audio instructional materials. A center has been established at George Mason University to process textbooks and other instructional materials requested by school divisions into various formats including electronic books and Braille. The SSEAC followed the implementation of the center during this first academic year. The SSEAC applauds the state's leadership in establishing AIM-VA.

# **FUTURE ISSUES**

Listed below are areas on which the SSEAC will continue to monitor and advise the Virginia Department of Education and the Board of Education as they work for the families and students of Virginia.

## **SPECIAL EDUCATION REGULATIONS**

The Policy & Regulations subcommittee will be charged to monitor the implementation of the new regulations as the next academic year commences. Specifically, the SSEAC will continue to focus efforts towards parent education and training on the new regulations, in addition to the new Parent's Guide to Special Education. *Reauthorization of the No Child Left Behind Act of 2001* (NCLB) will be monitored as well.

## **BULLYING AND DISABILITY HARASSMENT**

As a result of the changes in the new regulations that require LEAs to have policies that prohibit disability harassment, the SSEAC will be reviewing programs that have been implemented in Virginia and across the country. This has become a national issue and has received much press recently.

## **RESTRAINT & SECLUSION**

The SSEAC will continue to monitor the implementation of restraint and seclusion policies and procedures.

## **SECONDARY TRANSITION and SELF ADVOCACY**

The SSEAC will continue to monitor self advocacy initiatives throughout the Commonwealth and encourage expansion of such programs. The committee will also monitor secondary transition programs and receive reports from the statewide postsecondary outcomes survey conducted by the VDOE as part of the SPP/APR requirements. The SSEAC will follow developments from provisions in the Higher Education Act of 2008 that made students with Intellectual and Developmental Disabilities eligible for Pell grants and work study.

## **ACCESSIBLE INSTRUCTIONAL MATERIALS**

The SSEAC is planning to review and monitor potential expansion of the statewide library AIM-VA services to children under 504 plans as well as students needing accessible instructional materials under their IEPs.

## **SPECIAL EDUCATION TEACHER SHORTAGES**

Due to the continued needs for licensed special education teachers and the fact that they continue to be the top shortage area in the state, the SSEAC plans to research alternatives available in other states to addressing the critical shortage of special education teachers.

## **AUTISM**

The SSEAC will continue to monitor the educational issues related to instructional strategies for students with Autism Spectrum Disorders (ASDs). The committee will request periodic updates from VDOE staff, review updated information, and assist in Virginia's future plans for addressing the educational needs of students with ASD.

## **ASSESSMENT ISSUES**

Based upon the variety of assessment options that have been developed in Virginia for students with disabilities, the SSEAC will study the use of the Virginia Grade Level Alternative Assessment (VGLA) and the Virginia Substitute Evaluation Program (VSEP) in order to address issues that have appeared as a result of public comments and the data presented by VDOE. The SSEAC will also provide feedback to VDOE on the development of the new Virginia Modified Achievement Standard Test.

**Virginia State Special Education Advisory Committee  
(SSEAC)**

**Eva Aikins**

(Parent, Region 6 – Roanoke Area)  
209 Cherry Lane  
Danville, VA 24541

**Judy M. Averill**

(Transition/Vocational Education)  
4003 Cogbill Road  
Richmond, VA 23234

**Michael M. Behrmann**

(Higher Education)  
Kellar Professor of Special Education  
110A Krug Hall (MS1F2)  
George Mason University  
4400 University Drive  
Fairfax, VA 22030

**Suzanne Bowers**

(Parent, Region 4 – N. Virginia)  
2402 Glengyle Drive  
Vienna, VA 22181

**Robert T. Chappell**

(Local Education Official)  
Division Superintendent  
Rappahannock Co. Public Schools  
6 Schoolhouse Road  
Washington, VA 22747

**Mary Anne Discenza**

(State Agency)  
Child/Family Services – MHMRSAS  
Infant & Toddler Connection  
1220 Bank Street  
Richmond, VA 23219

**Christina Draper**

(Person with Disability)  
P.O. Box 84  
Fieldale, VA 24089

**Anne Fischer**

Chairman  
(Parent, Region 2 – Lower Tidewater)  
133 Brittany Lane  
Suffolk, VA 23435

**Frances B. Goforth**

(Special Education Director)  
Gloucester County Public Schools  
6489 Main Street, Building Two  
Gloucester, VA 23061

**Melodie M. Henderson**

(Teacher)  
5132 Lavelle Road  
Richmond, VA 23234

**Mona Holmes**

(Parent, Region 5 – Shenandoah Valley)  
5264 James Madison Highway  
Fork Union, VA 23055

**Jacqueline Nelson**

(Correctional (DCE))  
Assistant Superintendent of Accountability  
Department of Correctional Education  
101 N.14th Street, 7th Floor  
Richmond, VA 23219

**Jennifer O'Berry-Ham**

(Private Schools)  
Minnick Educational Center  
Program Manager/Principal  
775 Dent Road  
Roanoke, Virginia 24019

**Peter Squire**

(Person with Disability)  
800 South Washington Street, Apt. C304  
Alexandria, VA 22314

**Tamara Temoney**

(Foster Care (DSS))  
Foster Care Policy Specialist  
Virginia Department of Social Services  
7 North 8th Street, Sixth Floor  
Richmond, VA 23219

**Carletta Pittman Wilson**

(Parent, Region 1 – Richmond Area)  
1414 Winchell Street  
Richmond, VA 23231

# Board of Education Agenda Item

Item: \_\_\_\_\_ M. \_\_\_\_\_

Date: November 17, 2009

**Topic:** Annual Report of the Virginia Advisory Committee for Career and Technical Education

**Presenter:** Ms. Elizabeth Russell, Director, Office of Career and Technical Education; Mr. Mike Mills, Chair; Ms. Judy Sorrell, Vice-Chair; Ms. Sandy Hespe, Secretary of the Virginia Advisory Committee for Career and Technical Education

**Telephone Number:** 804-225-2051

**E-Mail Address:** Elizabeth.Russell@doe.virginia.gov

## Origin:

Topic presented for information only (no board action required)

Board review required by  
 State or federal law or regulation  
 Board of Education regulation  
 Other: \_\_\_\_\_

Action requested at this meeting  Action requested at future meeting: \_\_\_\_\_ (date)

## Previous Review/Action:

No previous board review/action

Previous review/action  
date \_\_\_\_\_  
action \_\_\_\_\_

**Background Information:** The Virginia Advisory Committee for Career and Technical Education is comprised of business and industry leaders, professional organization leaders, and representatives from secondary and postsecondary education who are appointed by the Board of Education. The committee submits an annual report to the Board of Education.

**Summary of Major Elements:** The report includes a summary of the committee's meetings and recommendations/commendations to the Board.

**Superintendent's Recommendation:** The Superintendent of Public Instruction recommends that the Board of Education receive the report and disseminate to the public upon request.

**Impact on Resources:** This activity can be absorbed through existing agency resources at this time. If the agency is required to absorb the additional duties related to this report, other services may be impacted.

**Timetable for Further Review/Action:** No further action is required.

# **ANNUAL REPORT**

**From the**

**Virginia Advisory Committee for Career and Technical  
Education**

**to the**

**Virginia Board of Education**

**Mike Mills, Chairperson  
Judy Sorrell, Vice-Chair  
Sandy Hesse, Secretary**

**November 17, 2009**

The Virginia Advisory Committee for Career and Technical Education (CTE) was organized in 2003. The principal purpose of the Committee is to provide information about the needs of career and technical education students and programs to the Board of Education and the Department of Education and to make recommendations regarding career and technical education.

The Advisory Committee met four times during the 2008 – 2009 school year: September 23, 2008; January 15, 2009; April 23, 2009, and June 9, 2009.

### **Membership and Organization**

The membership of the Virginia Advisory Committee for Career and Technical Education is composed of persons knowledgeable about and concerned with career and technical education. Initial committee members were appointed by the Board of Education president, and committee vacancies are filled annually by the Board. Once approved by the Board, new members come onto the committee the following fall. Members reflect all geographic areas of the state whenever possible. Membership for the 2008 – 2009 school year included ten representatives from business and industry and three representatives from education. The current committee has a total of fourteen members. Members serve three-year staggered terms and may be nominated for a second three-year term up to a maximum of two terms. Officers of the committee are: Mike Mills, chairperson; Judy Sorrell, vice chairperson; and Mrs. Sandy Hespe, secretary. A list of members for 2008 – 2009 and 2009 – 2010 year is attached.

### **Meeting Highlights**

The 2008 – 2009 year was dedicated to developing a Program of Work for the committee; assisting with the Professional Development Summer Institute; and working with the CTE state staff to monitor program progress. The advisory committee's report is outlined below.

### **Expected Outcomes**

- Meet Annual expectation of update to Board on status of CTE in Virginia.
- Provide information on specific areas of focus and concerns of our advisory committee.
- Share the Program of Work
  - Content
  - Strategy for implementation
  - Process for development, maintenance, and update.
- Invite feedback on work product and value of the advisory committee.
- Solicit agenda items, topics for consideration, and invitation of Board members to participate in future meetings.

In meeting the annual expectation of update to the Board on the health of CTE in Virginia, we cite the following successes:

- Continued increase in the number of industry credentials earned by CTE students;
- Continued increase in the number of Advanced Studies Diplomas earned by CTE students;
- Sharing of Virginia CTE graduate success stories through the *r u Ready* magazine and the 16 Career Cluster posters; and
- Beginning the Virginia visioning process for CTE through the work of the state advisory committee.

The Advisory Committee's concerns on the health of these programs are:

- Funding for the CTE Curriculum Resource Center and industry certification;
- Lack of rigor in the Technical and Advanced Technical diplomas; and
- Supply of qualified CTE teachers.

The following are specific areas of focus and concerns of our advisory committee.

- **Concern:** Funding for industry certification programs.
  - Industry certification is highly regarded in the business community as an independent verification of skills sets.
  - Industry certification is also validated as a third-party assessment that combines with classroom assessment of student competencies to meet the Perkins Technical Skills Assessment Performance Standard.
- **Desired Outcome:**
  - The current funding for the industry certifications has enabled Virginia to lead the nation in secondary students obtaining industry credentials. As the number of CTE completers earning industry credentials increases, the state funding needs to increase and become a permanent funding source.
  - The value of industry credentials needs to be marketed.
- **Concern:** Funding for CTE programs.
- **Desired Outcome:** Add resource funding to support specific initiatives:
  - Survey CTE program completers beyond the current one year after graduation; and
  - Advocate for CTE programs.
- **Concern:** Continue to increase the rigor of CTE programs/courses.
  - Advocate for increased collaborative instruction between core courses (i.e., mathematics, science, and English) and CTE courses.
  - Advocate for increased utilization of lesson plans that are developed collaboratively by core and CTE instructors for CTE competencies/tasks that are correlated to the Standards of Learning.
- **Desired Outcome:**
  - CTE Committee to review collaboratively developed lesson plans; and
  - Begin process of evaluating ways to add rigor without significant costs to the system.

The Advisory Committee is concerned about the supply of qualified CTE teachers. Currently there is a temporary abundance of teachers in some CTE areas due to economy. Virginia colleges and universities have few traditional teacher development programs for CTE. The needs of school divisions are projected to continue to out pace the supply within the next ten years. The Advisory Committee would like to undertake the following:

- Recommendations on licensure requirements for CTE educators;
- Evaluation of teacher preparation sources to provide teachers and determine the adequacy of those programs; and

- Evaluate the above two and create a strategy by the 2011 report to the Virginia Board of Education.

The Advisory Committee has developed their Program of Work for 2009 – 2013. The Program of Work may be found at <S:\Career and Technical\2009-2013 PROGRAM OF WORKI.doc>.

The Program of Work is:

- A new body of work, conceived and created this year;
- Expected to update action steps annually;
- To develop in four-year segments; and
- To create a new vision in school year 2012 – 2013 to present at the State Board of Education fall meeting in 2013.

The vision process involved the following:

- Brainstorm of ideas – this process started with a collection of ideas at the September meeting;
- Categorization of these – at the January meeting, a breakdown of categories and the real focus were developed;
- Finalization of the categories;
- Implementation of the gap analysis;
- Assignment of specific deliverables for each category;
- Creation of sub teams to monitor and lead the Advisory Committee toward completion of the deliverables;
- Final approval by CTE Advisory Committee; and
- Review and solicit feedback from the Virginia Board of Education.

The Advisory Committee invites the feedback on the Program of Work and value of the Advisory committee on the following questions.

- Are we working on the right topics/areas?
- Are there any projects or areas in need of our input?
- Will you support our recommendations?
- Are we meeting your expectations as an Advisory Committee?

The Advisory Committee would also like to solicit agenda items, topics for consideration, and invite the Board members to participate in future meetings of the Advisory Committee. We ask for the approval and support of the Board in moving toward our goals.

The Advisory Committee commends the continued support for CTE by the Virginia Board of Education.

**Virginia Advisory Committee for  
Career and Technical Education  
2008-2009**

**Mr. John C. Barnes, III**  
*October 1, 06-Sept. 29, 09*

Vice President, Pallet Division  
Potomac Supply Corporation  
1398 Kinsale Road  
Kinsale, VA 22488

**Ms. Theresa Bryant**  
*July 1, 06 – June 30, 09*

Vice President  
Workforce Development  
Tidewater Community College  
300 Granby Street – 5<sup>th</sup> Floor  
Norfolk, VA 23510

**Ms. Tracee B. Carmean**  
*October 1, 06-Sept. 29, 09*

Vice President  
Riverside Health System  
Riverside School of Health Careers  
316 Main Street, Newport News 23601

*Substitute for Tracee*

Ms. Brenda Booth, Director  
Riverside School of Practical Nursing  
316 Main Street  
Newport News, VA 23601

**Mr. Johnny Cates**  
*July 1, 06 – June 30, 09*

Executive Director AYES Program  
Virginia Auto Dealers Association  
1800 West Grace Street  
P.O. Box 5407  
Richmond, VA 23220-0407

**Mr. John E. Cotton**  
*July 17, 08 – June 30, 11*

Director, Environmental Health, Safety  
and Security  
2301 Wilroy Road  
Suffolk, VA 23439

**Mr. Franklin D. Harris**  
*July 1, 06 – June 30, 09*

Manager of Public and Member Relations  
Southside Electric Cooperative  
2000 West Virginia Avenue  
Crewe, Virginia 23930

**Mr. Alan R. Hawthorne**  
*July 17, 08 – June 30, 11*

Executive Director, Joint Industrial  
Development Authority of Wythe County  
P.O. Box 569  
Wytheville, VA 24382

**Ms. Sandy Hespe**

Instructional Specialist

*July 1, 07 – June 30, 10*  
Secretary

York County Public Schools  
302 Dare Road  
Yorktown, VA 23692

**Mr. Byron K. Hinton**  
*July 17, 08 – June 30, 11*

Chairman, Stafford County Career and  
Technical Education Committee  
715 Lendall Lane  
Fredericksburg, VA 22405-2325

**Ms. Virginia R. Jones**  
*July 17, 08 – June 30, 11*

Supervisor of Academies  
Halifax County Public Schools  
P.O. Box 1849  
Halifax, VA 24558

**Mr. Mike Mills**  
*July 1, 07 – June 30, 10*  
Chairperson

Corporate Distribution Manager  
American Woodmark Corporation  
170 Dawson Drive  
Winchester, VA 22604

**Mr. Toney Rigali**  
*July 1, 07 – June 30, 10*

Lead Organizer  
Virginia Pipe Trades Association  
701 Stockton Street, 2<sup>nd</sup> Floor  
Richmond, VA 23223

**Mrs. Judy Sorrell**  
*July 1, 07 – June 30, 10*  
Vice-Chair

Director  
Shenandoah Valley Regional Program  
P.O. Box 448  
Fishersville, VA 22939

**Mr. Jerry W. Stewart**  
*July 17, 08 – June 30, 11*

Workforce Development Coordinator  
City of Virginia Beach Economic  
Development Division  
222 Central Park Avenue, Suite 1000  
Virginia Beach, VA 23462

**Dr. Brenda Long**  
*July, 08*

VACTE Liaison  
420 Stonegate Drive  
Blacksburg, VA 24060

**Virginia Advisory Committee for  
Career and Technical Education  
2009-2010**

<b>Mr. John E. Cotton</b> <i>July 17, 2008 – June 30, 2011</i>	Director, Environmental Health, Safety and Security 2301 Wilroy Road Suffolk, VA 23439
<b>Ms. Jane Foy</b> <i>July 23, 2009 – June 30, 2012</i>	Co-host and Producer 390 Wynridge Lane Charlottesville, VA 22901
<b>Mr. Alan R. Hawthorne</b> <i>July 17, 2008 – June 30, 2011</i>	Executive Director, Joint Industrial Development Authority of Wythe County P.O. Box 569 Wytheville, VA 24382
<b>Ms. Sandy Hespe</b> <i>July 1, 2007 – June 30, 2010</i> Secretary	Instructional Specialist York County Public Schools 302 Dare Road Yorktown, VA 23692
<b>Mr. Byron K. Hinton</b> <i>July 17, 2008 – June 30, 2011</i>	Chairman, Stafford County Career and Technical Education Committee 715 Lendall Lane Fredericksburg, VA 22405-2325
<b>Ms. Virginia R. Jones</b> <i>July 17, 2008 – June 30, 2011</i>	Supervisor of Academies Halifax County Public Schools P.O. Box 1849 Halifax, VA 24558
<b>Ms. Lynn May</b> <i>July 23, 2009 – June 30, 2012</i>	Registered Nurse 1030 Pine Hall Road Mathews, VA 23109
<b>Mr. Allan L. Melton</b> <i>July 23, 2009 – June 30, 2012</i>	Manager Product Training The Apprentice School Northrop Grumman 4101 Washington Avenue Newport News, VA 23607
<b>Mr. Mike Mills</b> <i>July 1, 2007 – June 30, 2010</i> Chairperson	Corporate Distribution Manager American Woodmark Corporation 170 Dawson Drive Winchester, VA 22604

**Mr. Frederick R. Norman** Owner  
*July 23, 2009 –*  
*June 30, 2012* CVC, LLC  
P. O. Box 74355  
Richmond, VA 23236

**Mr. Chad S. Ratliff** Asst. Director of Instruction  
*July 23, 2009 –*  
*June 30, 2012* and Innovation Projects  
Albemarle County Public Schools  
401 McIntire Road  
Charlottesville, Virginia 22902

**Mr. Toney Rigali** Lead Organizer  
*July 1, 2007 –*  
*June 30, 2010* Virginia Pipe Trades Association  
701 Stockton Street, 2<sup>nd</sup> Floor  
Richmond, VA 23223

**Mrs. Judy Sorrell** Director  
*July 1, 2007 –*  
*June 30, 2010* Shenandoah Valley Regional Program  
Vice-Chair P. O. Box 448  
Fishersville, VA 22939

**Mr. Jerry W. Stewart** Workforce Development Coordinator  
*July 17, 2008 –*  
*June 30, 2011* City of Virginia Beach Economic  
Development Division  
222 Central Park Avenue, Suite 1000  
Virginia Beach, VA 23462

**Dr. Brenda Long** VACTE Liaison  
420 Stonegate Drive  
Blacksburg, VA 24060

November 17, 2009

**Public Hearing on the Proposed  
Regulations Governing Local  
School Boards and School Divisions  
(8VAC 20-720-10 et seq.)**

In April 2009, the Board of Education authorized the Department of Education to announce public comment on a proposed new regulation entitled *Regulations Governing Local School Boards and School Divisions*. Pursuant to the requirements of the Administrative Process Act and the relevant Executive Order, the proposed regulations are now open for public comment. The public hearing will be held at the adjournment of the Board's business meeting on November 17, 2009.

This regulatory action proposes to simultaneously repeal a number of old, outdated regulations and promulgate a new regulation that contains still-relevant sections of the old regulations. Thus, this regulatory action intends to consolidate a number of pertinent provisions, while eliminating outdated ones.

The *Regulations Governing School Boards Local*, 8 VAC 20-490-10 et seq., were adopted on or before September 1, 1980. These regulations have not been amended since that time. Additionally, several other regulations currently exist that address regulatory requirements for local school boards and school divisions. Some of the current regulations were adopted on or about September 1, 1980, as well. Because many of the provisions within these regulations, and in some cases, the entire regulation, are now outdated, they lend themselves to consolidation into the *Regulations Governing Local School Boards and School Divisions*.

The new regulation amends and reenacts the *Regulations Governing School Boards Local* (8 VAC 20-490-10 et seq.) into the *Regulations Governing Local School Boards and School Divisions* (8 VAC-20-720-10 et seq.) by consolidating it with several applicable regulations into one concise regulation.

The regulations to be consolidated into the new regulation are as follows:

8 VAC 20-150-10 et seq.	Regulations Governing Management of the Student's Scholastic Record in the Public Schools of Virginia
8 VAC 20-180-10	Regulations Governing School Community Programs
8 VAC 20-210-10	Classification of Expenditures
8 VAC 20-240-10 et seq.	Regulations Governing School Activity Funds
8 VAC 20-250-10	Regulations Governing Testing Sight and Hearing of Pupils
8 VAC 20-310-10	Rules Governing Instruction Concerning Drugs and Substance Abuse
8 VAC 20-320-10	Regulations Governing Physical and Health Education
8 VAC 20-390-10 et seq.	Rules Governing Division Superintendent of Schools
8 VAC 20-410-10	Rules Governing Allowable Credit for Teaching Experience

8 VAC 20-420-10	Regulations Governing Personnel in Public School Libraries Operated Under Joint Contract Under Control of Local School Board or Boards
8 VAC 20-460-10 et seq.	Regulations Governing Sick Leave Plan for Teachers
8 VAC 20-490-10 et seq.	Regulations Governing School Boards Local
8 VAC 20-565-10 et seq.	Regulations for the Protection of Students as Participants in Human Research

The current provisions within regulations that are to be incorporated into the *Regulation Governing Local School Boards and School Divisions* will be repealed simultaneously with the promulgation of the new regulation.

**Guidelines for speakers attending the public hearing:**

Speakers will be recognized in the order in which they registered on the sign-up sheet.

Each speaker is limited to three minutes.