

Virginia Board of Education Agenda Item



Agenda Item: F

Date: October 25, 2012

Title	Final Review of Proposed Revisions to the Division-Level Academic Review Process		
Presenter	Dr. Kathleen M. Smith, Director, Office of School Improvement, Division of Student Assessment and School Improvement		
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Purpose of Presentation:

Action required by Board of Education regulation.

Previous Review or Action:

Previous review and action. Specify date and action taken below:

Date: September 27, 2012

Action: First Review of the Division-Level Academic Review Process

Action Requested:

Final review: Action requested at this meeting.

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Expanded Opportunities to Learn
X	Goal 2: Accountability of Student Learning
	Goal 3: Nurturing Young Learners
	Goal 4: Strong Literacy and Mathematics Skills
	Goal 5: Highly Qualified and Effective Teachers and Administrators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal 2: Revising the division-level academic review process supports the Board’s goal by ensuring accountability for student learning by the division as required by the Standards of Quality (SOQ).

The SOQ 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....

...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](#)....

Summary of Important Issues:

In 2004, the *Regulations for Conducting Division-Level Academic Reviews* (8 VAC 20-700) were approved. These regulations require the Board of Education to consider the following criteria in selecting school divisions to undergo a division-level academic review:

1. The school division's accountability determination for student achievement as required in federal law;
2. The percentage of students attending schools that are not *Fully Accredited* in the division exceeds the statewide average; and
3. School academic review findings in the division report the failure of the division's schools to reach full accreditation is related to the school board's noncompliance with the Standards of Quality.

Based on the approval of *Virginia's Application for U.S. Department of Education Flexibility from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)*, the *Division-Level Academic Review Process: Monitoring School Compliance with Certain Standards of Quality Related to Increasing Academic Performance*, approved by the Board in June 2004 must be revised to include provisions of the waiver.

The proposed revisions to the *Division-Level Academic Review Process: Monitoring School Compliance with Certain Standards of Quality Related to Increasing Academic Performance* is included as Attachment A.

Impact on Fiscal and Human Resources:

None

Timetable for Further Review/Action:

None.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the modifications to the division-level academic review process as presented.

**PROPOSED REVISIONS TO THE
DIVISION-LEVEL ACADEMIC REVIEW PROCESS:
Monitoring School Division Compliance with
Certain Standards of Quality
Related to Increasing Educational Performance**

Authority for Conducting Division-Level Academic Reviews

The Board of Education’s authority for supervising the public school system in Virginia is vested in Article VIII of Virginia’s Constitution. Section two of Article VIII states, in part:

“Standards of quality for the several school divisions shall be determined and prescribed from time to time by the Board of Education, subject to revision only by the General Assembly.”

Section four of Article VIII states, in part:

“The general supervision of the public school system shall be vested in a Board of Education...”

Section five of Article VIII states, in part:

“The powers and duties of the Board of Education shall be as follows: (a) Subject to such criteria and conditions as the General Assembly may prescribe, the Board shall divide the Commonwealth into school divisions of such geographical area and school-age population as will promote the realization of the prescribed standards of quality, and shall periodically review the adequacy of existing school divisions for this purpose.”

The *Standards of Quality* (SOQ) (22.1-253.13:1, et. seq.) describe the responsibilities of the State Superintendent of Public Instruction in supervising school divisions. One responsibility is as follows:

“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.” (22.1-253.13:3.D)

Revisions to the SOQ were introduced into and passed by the 2004 General Assembly. Revisions addressing the conducting of division-level academic reviews are:

“Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education...”

....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 divisions' six-year improvement plan pursuant to 22.1-253.13:6" (22.1-253.13:3.F); and

"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." (22.1-253.13:6.C)

Identification of School Divisions for Division-Level Academic Reviews

The Board of Education may direct the Department of Education to conduct Division-Level Academic Reviews in school divisions meeting the following criteria:

1. ~~The school division has not made adequate yearly progress in the same content area for two consecutive years, as described in *Virginia's Consolidated State Application Accountability Workbook* and consistent with the *No Child Left Behind Act of 2001*. The school division has not met federal benchmarks (annual measurable objectives) for any of the proficiency gap groups or the school division has schools identified as priority or focus schools as indicated in *Virginia's Application for U.S. Department of Education Flexibility from Certain Requirements of the Elementary and Secondary Education Act of 1965 (ESEA)*; AND~~
2. the percent of students attending warned schools in the division is higher than the statewide percent of students attending warned schools; AND
3. 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, consistent with 22.1-253.13:3.F of the 2004 *Standards of Quality*

Purpose of the Division-Level Academic Review

The *Standards of Quality* (22.1-253.13:1, et. seq.), or SOQ, is the section of the Virginia Code that describes the responsibilities of state Board of Education, the Superintendent of Public Instruction, the department of education and the local school board in increasing the educational performance of public schools in Virginia. The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC20-131-10, et .seq.), or SOA, are the Board of Education’s regulations that operationally define various sections of the Standards of Quality by detailing the standards schools must meet. The purposes of the division-level academic review are to:

1. gather data and other information to determine whether the local school board is meeting its responsibilities under the SOQ (see Table 1);
2. provide the local school board with essential actions upon which they will base goals and strategies for correcting any areas of noncompliance with the SOQ and for improving educational performance as part of the required corrective action plan (22.1-253.13:3.F); and
3. monitor, enforce and report on the local school board’s development and implementation of the required corrective action plan.

Table 1: Local school board responsibilities under the Standards of Quality reviewed during the division-level academic review and correlated to the Standards of Accreditation.

Code Citation	Text from Standards of Quality	Regulation Citation from Standards of Accreditation
22.1-253.13:1.B “	School boards shall implement these objectives [the Standards of Learning] or objectives specifically designed for their school divisions that are equivalent to or exceed the Board’s requirements”	8 VAC 20-131-70.A 8 VAC 20-131-210.B 8 VAC 20-131-220 8 VAC 20-131-80.A 8 VAC 20-131-90.A 8 VAC 20-131.100.A
22.1-253.13:1.C	“Local school boards shall develop and implement a program of instruction for grades K through 12 [described]...”	8 VAC 20-131-80.C 8 VAC 20-131-90.D 8 VAC 20-131-110.A 8 VAC 20-131-150 8 VAC 20-131-210.B 8 VAC 20-131-310.G
22.1-253.13:1.C “	Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students 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 required for the student’s graduation”	8 VAC 20-131-310.C 8 VAC 20-131-310.G

Code Citation	Text from Standards of Quality	Regulation Citation from Standards of Accreditation
22.1-253.13:1.D “	Local school boards shall also im plement Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma ...provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.”	8 VAC 20-131-310.B 8 VAC 20-131-310.C
22.1-253.13:1.D	“Local boards shall also implement ...A plan to make achievements for students who are educationally at risk a divisionwide priority which shall include procedures for measuring the progress of such students.”	8 VAC 20-131-220 8 VAC 20-131-310.H 8 VAC 20-131-20.A.4 8 VAC 20-131-80.B
22.1-253.13:2.C	“Each school board shall assign licensed instructional personnel in a manner that ...”	8 VAC 20-131-131-240.A 8 VAC 20-131-210.B
22.1-253.13:2.L	“A combined school, ... shall meet at all grade levels the staffing requirements for the highest grade level in that school;...except for guidance counselors,...based on the school’s total enrollment;...”	8 VAC 20-131-131-240.A 8 VAC 20-131-210.B.
22.1-253.13:2.O	“Each local school board shall provide those support services that are necessary for the ... operation and maintenance of its public schools ... ‘support services positions’ shall include... services provided by school board members, the superintendent, ...”	8 VAC 20-131-131-240.A 8 VAC 20-131-210.B
22.1-253.13:3.A	“Each local school board shall maintain schools that are fully accredited pursuant to the standards of accreditation as prescribed by the Board of Education.”	8 VAC 20-131-80.C 8 VAC 20-131-90.D 8 VAC 20-131-110.A 8 VAC 20-131-110.C 8 VAC 20-131-150 8 VAC 20-131-210.B 8 VAC 20-131-310.G
22.1-253.13:3.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...”	8 VAC 20-131-30.A 8 VAC 20-131-30.B 8 VAC 20-131-30.E 8 VAC 20-131-30.F 8 VAC 20-131-30.G 8 VAC 20-131-280.D.4

Code Citation	Text from Standards of Quality	Regulation Citation from Standards of Accreditation
22.1-253.13:3.A	“... After the conduct of such [division-level academic review], ... each school board shall submit for approval by the Board a corrective action plan ... [that] shall be part of the relevant school division’s comprehensive plan...”	8 VAC 20-131-310.F 8 VAC 20-131-310.H
22.1-253.13:5.D	“Each local school board shall require (i) its members to participate annually in high quality professional development programs and activities...including to, but not limited to, personnel policies and practices; curriculum and instructions; and (ii) the division superintendent to participate annually in high quality professional development at the local, state or national levels”	8 VAC 20-131-20.A 8 VAC 20-131-210.B 8 VAC 20-131-310.G
22.1-253.13:5.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 skill for teachers and administrators; (ii) as part of the license renewal process; (iii) in educational technology for all instructional personnel; (iv) for administrative personnel designed to increase proficiency in instructional leadership...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.... (iii) methods for assessing the progress of individual students...(iv) instruction and remediation techniques...(v) interpreting test data...and; (vi) technology applications...”	8 VAC 20-131-20.A 8 VAC 20-131-210.B 8 VAC 20-131-310.G
22.1-253:13.6.B	“Each local school board shall adopt a comprehensive, unified, long-range plan ... [and] shall review the plan biennially and adopt any necessary revisions... 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...”	8 VAC 20-131-290.C 8 VAC 20-131-310.F 8 VAC 20-131-301.H

Code Citation	Text from Standards of Quality	Regulation Citation from Standards of Accreditation
22.1-253:13.6.C	“Each public school shall prepare a comprehensive, unified, long-range plan, which shall be given consideration by its school board in the development of the divisionwide comprehensive plan”	8 VAC 20-131-290.C 8 VAC 20-131-310.F 8 VAC 20-131-301.H

Division-Level Academic Review Process

Teams of educators trained and experienced in the academic review process conduct initial visits, on-site reviews, and follow-up visits. During these visits, teams hold introductory meetings with local school boards, conduct interviews, review documents and self-studies, and observe operational practices. Teams collect and analyze data, and these data are used to prepare a series of reports. Specific types of visits and activities conducted are described in Table 2.

Table 2: Types of visits and activities associated with Division-level Academic Reviews.

Visit Type	Activities Include (but are not limited to)	Result
Initial Visit	<p>Provide written explanation of purpose, process, roles and responsibilities to school division staff and local board chair</p> <p>Discuss preliminary issues</p> <p>Share analyses of findings of school-level academic reviews conducted in division</p> <p>Assign self-studies for completion prior to next visit</p> <p>Obtain signed agreement</p> <p>Hold introductory meeting with local school board to explain purpose and process, directed by Superintendent of Public Instruction, President of the Board of Education, and/or their designees</p> <p>Local board takes official action to accept memorandum of agreement</p>	<p>Identify SOQ focus for review</p> <p>Establish dates for on-site review</p>
On-Site Review	<p>Interview superintendent, central office staff and up to 2 board members</p> <p>Observe operations and practices</p> <p>Analyze documents and data</p> <p>Assign additional tasks for completion prior to next visit</p>	<p>Report of Findings detailing areas of strength, areas of noncompliance with SOQ, essential actions and time frames to be incorporated into corrective action plan</p>

Visit Type	Activities Include (but are not limited to)	Result
Follow-Up Visit	<p>Gather data to determine degree of implementation of essential actions designed to increase educational performance</p> <p>Monitor and enforce development and implementation of corrective action plans designed to bring the division into compliance with the SOQ</p>	Cumulative Progress Report detailing degree of progress in developing and implementing corrective actions

Reports that are generated are given to the division superintendent and staff and to the local school board chair and are to be made public. Copies also remain with the Department of Education’s division of educational accountability, with distribution to the Board of Education. School divisions will develop corrective action plans for improving student achievement and for correcting any areas of noncompliance based upon the findings of the division-level academic review. Plans must be part of the divisions’ six-year plans required by the SOQ, must be approved by local school divisions and must be submitted to the Board of Education for approval within 30 business days of the on-site visit. The division superintendent and local school board chair may request an extension to the due date of the corrective action plan for good cause. Good cause includes, but is not limited to, severe weather conditions and other emergency situations presenting a threat to the health or safety of students. In making such a request, the superintendent and local school board chair must appear before the Board of Education detailing the rationale for the request and providing evidence that such a delay will not have an adverse impact upon student achievement. The Board will consider granting such requests on a case-by-case basis.

Findings from these reviews will be reported quarterly to the Board of Education. Findings related to issues of noncompliance will be reported more frequently. Any school division not implementing essential actions, not correcting areas of noncompliance, or failing to develop, submit, and implement required plans and status reports will be required to report its lack of action directly to the Board of Education. Areas of noncompliance that continue to go uncorrected will be reported in the Board of Education’s Annual Report to the Governor and General Assembly on the Condition and Needs of Public Schools in Virginia. The Board will take additional action as allowable under the SOQ, including petitioning the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with the standards (22.1-253.13:6.C).