



COMMONWEALTH of VIRGINIA  
Department of Education

March 27, 2015

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

**SUBJECT: Virginia Board of Education Resolution Regarding Eligibility Criteria for Expedited Retakes on Spring 2015 Grades 3 through 8 Non-Writing Standards of Learning Tests**

This memorandum provides details regarding Virginia General Assembly legislation and a Virginia Board of Education (Board of Education) resolution that address the eligibility criteria for an expedited retake by students participating in the grades three through eight Standards of Learning (SOL) tests.

During the 2015 General Assembly Session, Governor McAuliffe proposed legislation to expand opportunities for students taking grades three through eight SOL tests. House Bill 1490, introduced by Delegate Habeeb, and Senate Bill 874, introduced by Senator Cosgrove, were approved by the 2015 General Assembly and signed by Governor McAuliffe. They go into effect July 1, 2015, and state the following: "That the Board of Education shall promulgate regulations to provide the same criteria for eligibility for an expedited retake of any Standards of Learning test, with the exception of the writing Standards of Learning tests, to each student regardless of grade level or course."

The Board of Education adopted a new resolution, [Resolution Number 2015-01](#), at its Thursday, March 26, 2015, business meeting ([see Agenda Item I](#)). This resolution, entitled *Establishing Criteria for Students Eligible for "Expedited" Retakes of Standards of Learning Tests in Grades 3 through 8*, indicates the Board of Education's intent that during the 2014-2015 school year, local school divisions may offer expedited retakes of the SOL reading, mathematics, science, and history tests to students in grades three through eight who meet the following criteria:

The student must:

- 1) Have passed the course associated with the test; and
- 2) One of the following:

- Failed the test by a narrow margin; or
- Failed the test by any margin and have extenuating circumstances that would warrant retesting; or
- Did not sit for the regularly scheduled test for legitimate reasons.

The "narrow margin" criteria shall be defined as a scaled score of 375-399. The division superintendent will be responsible for making the determination of what constitutes "extenuating circumstances" and "legitimate reasons" for the purposes of establishing eligibility for an expedited retest of a Standards of Learning test.

In addition, the following conditions shall apply:

- If a school division elects to offer expedited retakes of SOL tests, parents of eligible students shall be notified: (a) of the opportunity to retake the test(s); (b) that a decision not to retake any or all of the test(s) will not impact their child's grade or academic record; and (c) of the opt-in requirement.
- Prior to any additional testing, school divisions shall obtain and thereafter maintain documentation of affirmative parental consent and permission for their child to take an expedited retake.

The Division of Student Assessment and School Improvement will be providing additional details regarding the administration of grades 3 through 8 SOL expedited retakes to each school division's Division Director of Testing. If you have questions, please contact student assessment staff at [student\\_assessment@doe.virginia.gov](mailto:student_assessment@doe.virginia.gov) or (804) 225-2102.

SRS/SLR/cb