



COMMONWEALTH of VIRGINIA
Department of Education

July 18, 2014

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: Appeals of Federal Accountability Results Under the *Elementary and Secondary Education Act of 1965* (ESEA)

In March 2014, the Virginia Board of Education (VBOE) approved revisions to the methodology to establish annual measurable objectives (AMOs) as originally approved in the state's application for waivers from certain requirements of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *No Child Left Behind Act of 2001* (NCLB). In July 2014, the U.S. Department of Education (USED) approved the revised AMO methodology, which requires lower-performing subgroups of students to make greater academic gains over time to close the achievement gap between subgroups. Beginning with the 2014-2015 accountability year, subgroups are considered meeting the federal AMOs for reading and mathematics if the subgroup's current year pass rate meets or exceeds the target, meets or exceeds the target using a three year average, or reduces the failure rate by 10 percent as compared to the prior year (safe harbor).

Schools with all subgroups that meet the AMOs by the aforementioned provisions, and have one or more subgroups meeting the higher expectations will receive a status of *Met All Federal AMOs and Higher Expectations*. An overview of the revised methodology is available in the March 2014 Board item: http://www.doe.virginia.gov/boe/meetings/2014/03_mar/agenda_items/item_b.pdf.

In addition, high schools are required to meet annual ESEA objectives for graduation known as the Federal Graduation Indicator (FGI). The graduation indicator is met if 80 percent or more students graduate in four, five, or six years. The state's complete ESEA flexibility application, as approved by USED in July 2014, is available at: http://www.doe.virginia.gov/federal_programs/esea/flexibility/va_extension_request_letter_3-31-14_attachment-b.pdf.

It is anticipated that on July 23, 2014, preliminary federal accountability results will be available for review by school division personnel. **Please note that preliminary reports will display whether a division or school met the AMOs; however, final determinations about priority and focus school status and schools requiring an improvement plan are anticipated to be available by September 16, 2014.**

Schools and school divisions may appeal their results through the appeals processes allowed by ESEA and approved by the VBOE.

Appeal of a School's Federal Accountability Results

Section 1116(b)(2) of ESEA states that school divisions must provide schools with an opportunity to review the data upon which their federal accountability results are based. If a school believes the proposed results are in error, the school may provide supporting evidence to the school division. The school division must review the

evidence before making a final decision and submit the evidence and decision to the Virginia Department of Education (VDOE) for consideration.

The guidelines and procedures for a school division to use in considering a school's appeal of federal accountability results are found in Attachment A of this memorandum. The VDOE must receive appeals filed by the division superintendent within one month of the school receiving notice of the results but **no later than Wednesday, September 3, 2014**.

Appeal of a School Division's Federal Accountability Results

Section 1116(c)(5) of ESEA specifies that states must provide school divisions with an opportunity to review the data upon which their federal accountability results are based. If a school division believes the proposed results are in error, the division may provide supporting evidence to the state, and the state must review the evidence before making a final decision.

The guidelines and procedures for school divisions to use in appealing federal accountability results are found in Attachment B of this memorandum. The VDOE must receive appeals filed by the division superintendent within one month of the school division receiving notice of the results but **no later than Wednesday, September 3, 2014**.

Record Changes

Prior to submitting an appeal, the school division should ensure that all record changes have been made or that a Post Authorization to Proceed (ATP) Record Change Request Form has been submitted to the VDOE. The Post ATP Record Change Request Form is used when additional record changes are required after the division superintendent has signed the ATP form indicating that the data are accurate and may be found at:

http://www.doe.virginia.gov/testing/test_administration/index.shtml. Directions are located at the top of the form.

Contact Information

School divisions may submit questions about federal accountability results or related issues to the following Department contacts:

- General questions about ESEA flexibility: ESEA@doe.virginia.gov
- Requests for TBD status and appeals of federal accountability results: Christopher Kelly, education coordinator, Office of Program Administration and Accountability, at AMOTBD@doe.virginia.gov or (804) 225-2122
- Student assessment records and record changes: Office of Test Administration, Scoring and Reporting, at student_assessment@doe.virginia.gov or (804) 225-2102
- AMO calculations: Office of Information Management at resultshelp@doe.virginia.gov or (804) 225-2099

SRS/VT/ck

Attachments:

- A. [Appeals by School of its Federal Accountability Results](#) (PDF)
- B. [Appeals by School Division of its Federal Accountability Results](#) (PDF)