



COMMONWEALTH of VIRGINIA
Department of Education

July 19, 2013

TO: Division Superintendents

FROM: Patricia I. Wright, Superintendent of Public Instruction

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

In October 2012, 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 March 2013, 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. An overview of the revised methodology is available in the October 2012 Board item:

http://www.doe.virginia.gov/boe/meetings/2012/10_oct/agenda_items/item_i.pdf. The state's complete ESEA flexibility application, as approved by USED in March 2013, is available at:

http://www.doe.virginia.gov/federal_programs/esea/flexibility/flexibility_request_rev_jan2013.pdf.

Mathematics AMOs for accountability years 2012-2013 through 2017-2018, as established based on the revised methodology, are available at:

http://www.doe.virginia.gov/statistics_reports/school_report_card/accountability_guide.shtml#vaesea. Reading AMOs for accountability years 2013-2014 through 2017-2018 will be established based on results from the revised reading assessments administered in school year 2012-2013. The anticipated release date for reading AMOs is the week of July 29, 2013. It is also anticipated that on August 1, 2013, 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 will be available September 12, 2013.**

Schools and school divisions may appeal their results through the appeals processes allowed by ESEA and approved by the Virginia Board of Education.

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 for consideration.

The guidelines and procedures for school divisions to use in considering schools' appeals of their federal accountability results are found in Attachment A of this memorandum. The Virginia Department of Education must receive appeals filed by the division superintendent within one month of the school receiving notice of the results but **no later than Tuesday, September 3, 2013**.

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 Virginia Department of Education must receive appeals filed by the division superintendent within one month of the school division receiving notice of the results but **no later than Tuesday, September 3, 2013**.

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 Virginia Department of Education. The Post ATP Record Change Request Form is used when additional record changes are required after the 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
- Priority, focus or improvement plan status: Dr. Kathleen Smith, director, Office of School Improvement, at Kathleen.Smith@doe.virginia.gov or (804) 786-5819

PIW/VT/ck

Attachments:

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