



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JAN 15 2009

The Honorable Patricia I. Wright  
Superintendent of Public Instruction  
Virginia Department of Education  
P.O. Box 2120  
Richmond, Virginia 23218

Dear Superintendent Wright:

As we approach our seventh year of implementing the accountability provisions of the Elementary and Secondary Education Act, I want to take a moment to thank you and your colleagues for all your hard work to help realize the goals of the *No Child Left Behind Act of 2001* (NCLB) which has led to real and meaningful improvements in student achievement. These outcomes are due, in no small part, to the efforts of the dedicated educators in your state. We have seen an increased attention on high expectations for every child, an improvement in student performance across the board and a decrease in achievement gaps.

As Secretary Spellings is fond of saying, "what gets measured, gets done." With that in mind, I want to take this opportunity to update you on the status of some NCLB cornerstones with respect to Virginia. This letter, which includes more current information regarding the state's assessment system, replaces the one sent to you on January 8. Detailed information on specific components of your state's assessment and accountability system is contained in an attachment to this letter.

- Assessment system: An assessment system that produces valid and reliable results is fundamental to an accountability system that holds schools and districts accountable for educating all students. Please accept my congratulations on Virginia's standards and assessment system meeting all statutory and regulatory provisions required for reading/language arts and mathematics. Information regarding both the reading/language arts and mathematics assessment system used in determining adequate yearly progress for schools and districts in your state as well as details of the 2007–08 administration of science assessments are attached.
- Accountability components: The Department's new Title I regulations provide for greater scrutiny to states' accountability systems, including establishing a uniform and more accurate measure of calculating high school graduation rates that is comparable across states and requiring that states ensure that statistical measures maximize the inclusion of students and student subgroups in accountability determinations. Hence, the regulations also require that all states submit portions of their Accountability Workbook for peer review. In the attachment to this letter you will find information on Virginia's minimum group size, annual measurable objectives, confidence interval, full academic year definition, and graduation rate.
- Departmental flexibilities: Over the past several years, the Secretary has offered several flexibilities to states, such as growth model and differentiated accountability pilots, assessing students with disabilities and recently arrived limited English proficient students, and discretionary grant programs, such as the Teacher Incentive Fund, Enhanced Assessment Grants, and State Longitudinal Data System Grants. I am pleased to note that Virginia is participating in several of these endeavors.
  - Two percent transition flexibility: Virginia was approved in 2007–08 to include a proxy calculation for any school or district that did not make AYP due to the students with disabilities subgroup in grades 3–8. Virginia is eligible for this flexibility because the SEA is

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developing an alternate assessment based on modified academic achievement standards for certain students with disabilities.

- Statewide Longitudinal Data System Grant: Virginia has received a statewide longitudinal data system grant in the amount of \$6,054,394.
- Reversal of Supplemental Educational Services (SES) and Public School Choice (PSC): Virginia is participating in the SES and PSC pilot statewide in 2008-09 to provide SES to Title I schools in the first year of improvement.
- General Supervision Enhancement Grant: Virginia Department of Education is working towards the development of an alternate assessment based on modified academic achievement standards. (Year 1: \$400,000; Year 2: \$300,000; and Year 3: \$300,000).

In addition, for your information, I am enclosing a file that provides information across all states on the current assessment status, participation in flexibilities offered by the Department, AYP information, and discretionary grants. I wish you continued success in raising the achievement in Virginia. NCLB has focused our attention on closing achievement gaps and increasing the awareness of those students who have often been left behind: economically disadvantaged, limited English proficient, and students with disabilities. I have enjoyed the opportunity to work with you and all your colleagues across the country on such important issues.

Sincerely,



Kerri L. Briggs, Ph.D.

Enclosures

cc: Governor Tim Kaine  
Mark Emblidge  
Linda Wallinger  
Roberta Schlichter  
Shelly Loving-Ryder

## Assessment System

Virginia's assessment system met the requirements to be considered *Fully Approved with Recommendations*. This means that Virginia's assessment system includes academic content standards in reading/language arts, mathematics, and science; student achievement standards in reading/language arts and mathematics; alternate achievement standards for students with the most significant cognitive disabilities in reading/language arts and mathematics; and assessments and alternate assessments in each of grades 3 through 8 and one grade in high school in reading/language arts and mathematics.

- Virginia's science assessments are not yet fully compliant.
  - In 2007–08, the Department required that the state meet four minimal criteria related to the content area of science: have science content standards; have a general and alternate science assessment; include all students in one of the science assessments (i.e., either the general or alternate); and report the results of the science assessments. Virginia has met these requirements.
  - In 2008–09, the Department will conduct peer reviews of science assessments and expects the assessments to be fully compliant. Beginning with the 2008–09 school year, science assessments will be included in the states' assessment status. For additional detail, please see the enclosed fact sheet. Since Virginia did not submit evidence regarding its science assessments for peer review in October 2008, it must submit evidence for the March 23-27, 2009 peer review.

## Accountability System

- Minimum group size (the state-defined minimum number of students necessary to have valid and reliable AYP determinations): Virginia's minimum group size is 50 or one percent (up to 200). (The average across all states is approximately 30 students.)
- Annual measurable objectives (AMO) (the yearly target for the percentage of students required to be proficient or above for a school to make AYP):
  - 2008–09: Virginia's goal for this year is 81 percent of students scoring proficient in reading/language arts and 79 percent in mathematics.
  - AMO type: Virginia set its AMOs consistent with the statutory requirements, using an annual increase method.
- Full academic year definition (for purposes of determining whether a student's score must be included in AYP determinations): In Virginia, a student must be enrolled by September 30 through the test administration in order to be included in AYP determinations.
- Graduation rate:
  - Currently, Virginia is using a graduation rate that can be described as a completer rate, meaning that it takes the number of graduates divided by the number of graduates plus the number of students that dropout each of the previous four years.
  - As required by the recently issued Title I regulations, states must report graduation rate data, in the aggregate and disaggregated by subgroup, using the four-year adjusted cohort graduation rate beginning with report cards providing assessment results for the 2010-11 school year.
  - The graduation rate target Virginia requires for the district or school to make AYP is 57 percent.
  - According to the National Governor's Association 2008 report *Implementing Graduation Counts: State Progress to Date, 2008*, Virginia indicated that it would have the capability to report the NGA Compact 4-year graduation rate by 2008.