

**Virginia Board of Education**  
**Standing Committee on School and Division Accountability**  
**Wednesday, November 15, 2017, 3:00 p.m.**  
**Jefferson Conference Room, James Monroe Building**  
**101 North 14th Street, Richmond, Virginia**

**Welcome and Opening Comments**

The following Board of Education (Board) members were present for the November 15, 2017 meeting of the Committee on School and Division Accountability: Kim Adkins; Diane Atkinson; James Dillard; Daniel Gecker; Anne Holton; Elizabeth Lodal; Sal Romero, Jr.; Dr. Tamara K. Wallace; and Dr. Jamelle Wilson. Dr. Steven Staples, the Superintendent of Public Instruction, was also present.

Ms. Atkinson, chair of this committee, convened the meeting at 3:00 p.m.

**Approval of the Minutes from the October 25, 2017 Committee Meeting**

Dr. Wilson made a motion to approve the minutes from the October 25, 2017 committee meeting. Ms. Lodal seconded the motion, and the draft minutes were approved unanimously.

**Public Comment**

Margaret Vanderhye, Executive Director, Virginia Commission for the Arts, spoke in support of incorporating the arts into K-12 education in Virginia.

**Presentation: Review of the Regulations Establishing Standards of Accrediting Public Schools in Virginia (SOA) (Final Stage)**

Link to presentation: [Revisions to the Proposed Standards of Accreditation from First Review](#)

Dr. Cynthia A. Cave, Assistant Superintendent for Policy and Communications, provided an overview of the revisions made to the proposed regulations since the Board's October 25 meeting. These changes incorporated recommendations from the Board, and addressed public comments received since the October meeting. The public comments received were primarily focused around recess and establishing a standalone fine arts credit for graduation.

Dr. Cave reviewed a summary of the recommended changes:

- A definition of “growth” as it relates to student progress was added.
- The definition of recess was clarified to state that recess is free of structured instruction.
- The purpose statement was updated to remove the word “private” from “private life.”

- Under “Requirements for Graduation,” staff clarified that work-based learning opportunities offered by schools may include, but not be limited to, internships and externships. These are examples, and schools may provide other offerings.
- The College and Career Readiness requirement was revised to allow the Academic Career Plan to be completed by the end of the fall semester in the eighth grade year instead of the end of the seventh grade year.
- Language was added to clarify that homebound instruction is to be provided under the supervision of a licensed teacher, qualified in the relevant area.

Ms. Atkinson noted that during the October meeting, there was limited time to discuss comments received regarding recess and adding a fine arts credit for graduation. Ms. Atkinson wanted to give the Board time to discuss both topics and determine if additional amendments to the regulations were needed in these areas. With regards to recess, Ms. Atkinson noted that some Board members were concerned that including recess in the instructional day may not accomplish the intended outcome. There was concern that including recess in the definition of instructional day will not require that there be additional recess, but rather recess would be counted in the instructional day.

Ms. Lodal wanted to ensure that recess is set apart from all other activities for at least 30 minutes a day.

Mr. Romero indicated that he believed that the Board had addressed the issue and provided examples of how his school division uses creative solutions to ensure that students get recess every day. Elementary and some middle schools in his school division have incorporated thirty minutes of physical activity into each school day even during inclement weather.

Dr. Staples explained that Superintendent’s memos and other communications will be issued to clarify expectations for schools to provide recess.

Ms. Atkinson noted that the Board recently received a significant number of comments supporting the addition of a fine arts credit as a graduation requirement. Ms. Atkinson explained that there are several approaches the Board could take including adding a credit to both the standard and advanced studied diploma or replacing an elective credit with the fine arts credit requirement.

Ms. Adkins indicated that she hoped that whatever the Board decided would have the least fiscal impact on local divisions. She also asked Board members to consider whether adding a new requirement will add to the length of the school day.

Ms. Lodal stated that she believes that the graduation requirements allow choice and adding a fine arts requirement will reduce options that students have to complete the requirements for graduation while satisfying their own needs and interests. She suggested that a better approach would be to determine how to incorporate the arts and art appreciation into other content areas.

Ms. Holton recommended that the Board not change graduation requirements to include a fine arts credit at this time. As written, she believes that the SOA gives more deference and room to local school boards to determine if a student has met graduation requirements. She reminded the Board

that others supporting coursework in foreign languages and environmental sciences also spoke before the Board seeking a similar graduation requirement.

Dr. Wilson expressed concern about unintended consequences, and asked whether the Board knew how many students graduate without a fine arts credit. Further, she wanted consideration to be given adding a new credit requirement will require additional classes and teachers to help students meet the requirement.

Ms. Lodal noted that the Board did not receive comments regarding a fine arts graduation credit requirement until late in the process, and noted that this should be an item for future consideration, and suggested data should be compiled.

One Board member asked for clarification on the term “blended learning” as it appears in the regulation. Dr. Cave explained that blended learning is combining two subjects to learn or work on a project.

Mr. Romero noted his support for the requirement to have any services provided in the area of off-site instruction is to be provided by a licensed teacher qualified in the relevant area, especially when dealing with homebound students. However, he is concerned that it is already a challenge to find qualified teachers and this requirement may create an additional hardship for school divisions to provide those services. Dr. Cave clarified that the proposed change addresses supervision of homebound instruction, not the person providing the service.

**Presentation: Discussion of Proposed Guidance Aligned with the proposed Regulations Establishing Standards for Accrediting Public Schools in Virginia (8VAC20-131)**

Link to presentation: [Criteria to Recognize Schools and School Divisions](#)

Dr. Jennifer Piver-Renna, Senior Executive Director of Research, provided an overview of the proposed and existing criteria to recognize schools and divisions. She began with a follow-up to language in the proposed SOA that was previously discussed regarding establishing criteria and guidelines to recognize schools with exemplary performance under the new accreditation model.

Dr. Piver-Renna explained that the original accreditation matrix included four performance levels, the top being the exemplary or “blue” performance level. The Board and staff heard from superintendents that this “blue” level did not capture the spirit of exemplary performance. The Board also wanted criteria that recognized growth and improvement in particularly in schools in challenging settings. In response to this, staff proposed removing “blue” performance level and instead developing criteria surrounding exemplary performance. As discussed during the June Board meeting, in lieu of the “blue” performance level, there are two categories proposed to recognize exemplar performance – one for all schools, and another for high poverty schools.

The Virginia Index of Performance (VIP) is another recognition program in the SOA and established by the Code of Virginia. The VIP is structured into three different awards: the Governor’s Award for Educational Excellence, the Board of Education Excellence Award, and the Board of Education Distinguished Achievement Award. The awards can be earned by either the individual school or school division. Awards are based on a formula that assigns both base

points and bonus points based on established criteria. The point awards are based on very complex criteria and formula.

Dr. Piver-Renna further explained that there are benefits for providing incentives to schools for continuous improvement. The VIP also includes nontraditional accreditation indicators, and added that there are significant challenges in implementing this program. Those challenges are that the program:

- only recognizes schools that are fully accredited;
- the complex formula limits how a school qualifies so it is difficult to explain why one school was awarded and one school was not;
- makes it difficult for schools to set goals around the criteria because schools do not understand how points are awarded.

Dr. Piver-Renna reported that after staff review, it is recommended that “Exemplar Performance” be revised to align with the required components of the VIP criteria to establish one cohesive recognition program. This better aligns the criteria with proposed school quality indicators; provides opportunity to recognize schools that are accredited with conditions, but are showing significant growth or improvement over time; and will increase the opportunity to recognize high-poverty schools that demonstrate growth. Staff plans to present the revised criteria to the Board in January.

Dr. Wilson noted that one of the VIP criterion provided recognition for elementary schools that provide foreign language instruction. She noted that this highlights an equity, access and opportunity issue because some school divisions cannot afford to provide such instruction.

Another Board member supported aligning the two recognition programs, and indicated some recognition could be given to recognize equity. For example, school divisions that offer AP classes to all students, not just gifted students could be recognized. Also, the member suggested recognizing schools that meet goals such as increased teacher retention or provision of mentors to new teachers.

One Board member suggested consideration be given to recognize work that teachers do outside of the school in the community. Another Board member suggested that there are potential indicators to recognize collective school caring for the community.

Link to presentation: [Expedited Retake Criteria](#)

Shelley Loving-Ryder, Assistant Superintendent for Student Assessment and School Improvement, gave a brief history of the Standards of Learning Assessments (SOL) in Virginia. The opportunity for students to retake SOL tests has been in place since the beginning, but often took place during the next test administration. If a student failed to pass a SOL in the Spring, then the opportunity to retest did not occur until the next test administration in the Fall. There was concern that graduating students should not have to wait until the next test administration and instead the “emergency retake” was developed to provide the opportunity for students who were very close to passing to retake the SOL.

Ms. Loving-Ryder explained the current criteria that must be met in order for a student to qualify for an expedited retake. A student must have (i) failed the test by a narrow margin; (ii) failed the test by any margin and have an extenuating circumstance that would warrant retesting; or failed to sit for the regularly scheduled test for legitimate reason. In previous years, SOLs were paper tests, and retakes required a new test to be shipped to the school. The test would then be administered during what was called the expedited testing window.

Over time, some school divisions considered “extenuating circumstances” to include students who need to pass the test to graduate. The BOE supported this interpretation understanding that this was a circumstance that students faced.

Ms. Loving-Ryder explained that in 2015, the Board expanded the opportunity to retake for students in the lower grades using the same criteria used for the end-of-course testing. Parents had to give permission for the student to retake.

In 2017, a reporter inquired about a school division that continued to test students after the close of school. There was concern as to why students were returning to school test during the summer because of extenuating circumstances. There was general concern from neighboring school divisions about why some school divisions had students with such a high number of students with extenuating circumstances.

Dr. Staples explained that staff concluded that there was wide variance in the use of “extenuating circumstances” and the superintendents were concerned that wasn’t a shared understanding in the intent of the policy, and VDOE was asked to provide additional guidance.

Ms. Loving-Ryder explained testing irregularities was also a point of concern. Prior to the expansion of the use of extenuating circumstances, a student who had a fire at home the night before testing or a similar incident would have been reported as a testing irregularity. The student would have sat for the test and it would have been reported to VDOE as testing irregularity.

Ms. Loving-Ryder asked the if Board wanted to develop a definition regarding the meaning of extenuating circumstances, and whether such definition should apply differently among grades 3-8 tests and high school. She also asked if the Board wished to address certain extenuating circumstances through the testing irregularity process.

One Board member asked if test irregularity guidance applies to a pretesting condition or once a student is in the testing environment. Ms. Loving-Ryder explained that it generally applies to situation within the testing environment, but it has been used for situation such as a family emergency the night before the test. The Board member further noted that the requirements for the use of testing irregularities have not changed, but VDOE has used it to apply to other circumstances.

In response to an inquiry by a Board member regarding who pays the cost of the test, Ms. Loving-Ryder explained that VDOE pays for the test and grading.

Ms. Holton concluded that VDOE should provide guidance to Virginia school divisions on the meaning of “extenuating circumstances.” She also asked how many of the 13,000 students who retested under the criteria passed the retest versus how many students fail the SOL test.

One Board member explained that retesting was originally to be used for the benefit of the child, not the school, which is why the parent must provide permission to retest. The member added that the “extenuating circumstances” criteria is already different between grades 3-8 and high school, because parent do not need to give permission for a student to be retested for an end-of-course test because a child needs it for a verified credit.

Dr. Staples explained that staff will begin the preparing guidance for the local school divisions that will be presented to the Board at a future meeting.

### **Locally Awarded Verified Credit**

Shelley Loving-Ryder, Assistant Superintendent for Student Assessment and School Improvement, explained that school divisions may award a student a verified credit in history and science if the student has failed the SOL twice, has a score in the 375-399 range, and has other evidence that the student has learned the content. In an effort to support the Board’s desire to decrease the emphasis on tests, staff proposes that the guidance be revised indicating that a student only has to fail the test once with a score in the 375-399 range.

In response to a Board member’s question, Ms. Loving-Ryder stated that the intent of the requirement for a student to fail the test twice was to give the student and opportunity to improve their score or fall within the required range. She also stated the original intent was to show that the student has some mastery of the content.

Ms. Loving-Ryder proposed changing the criteria so that a student only has to fail once with a score within the 375-399 range, which would be consistent with the Board’s current emphasis on reducing testing.

One Board member noted that under the revised SOA, a student would only be awarded one locally verified credit.

There was general support for staff to develop draft guidance with the change presented by Ms. Loving-Ryder.

### **Presentation: Update on Growth Measures**

Link to presentation: [Growth Measures Update](#)

Shelley Loving-Ryder, Assistant Superintendent for Student Assessment and School Improvement, explained that VDOE currently uses Progress Tables as the method of measuring growth both in state accreditation and Virginia’s Every Student Succeeds Act (ESSA) plan. The progress tables consider a student’s current score on the SOL as compared to the student’s current score. If the student has shown improvement from one sublevel to the next, then that student has demonstrated growth.

Ms. Loving-Ryder explained that VDOE awarded contracts to two vendors, Education Analytics and SAS, to study three years of SOL data. Both vendors proposed a statistical growth model that could be used for accountability and to develop training with local development staff and by that staff to train others. Eight schools from each region became VDOE's pilot sites and provided feedback on the models. Both vendors proposed prediction models, in which the statistical models look at the performance of a student previously and also look at how a similar student performed and make a prediction as to how well that student should perform. Both models were used in each of the schools. The pilot schools received reports from both vendors. The student's growth was then determined based on whether that student met, exceeded or fell below that prediction.

Ms. Loving-Ryder explained that students were compared with other students around the state that scored similarly in the previous year, and if a student met the predicted score, they were demonstrating showing growth.

Ms. Loving-Ryder reported the pilot data demonstrated that:

- SOL tests are good indicators of student growth.
- The statistical reports produced by the vendors were helpful to school divisions.
- The data showed student growth overall, but does not show areas where students need additional instruction.
- Schools were concerned about the complex nature of the model.
- There is concern that modeling cannot be done until all testing is available.
- Both models are costly.

One Board member questioned if every student would be looked at if this model is adopted. Ms. Loving-Ryder explained that almost all students, except those who need alternate testing, would be reviewed. The pilot looked at data on reading and math, and to consider other subjects would require additional data points.

A Board member questioned whether it is possible to accurately compare schools from year to year when the test is different and may cover completely different levels of a subject. Ms. Loving-Ryder explained that the models are based only on predictors of how well a student should perform.

In response to a question from a Board member, Ms. Loving –Ryder confirmed that these models were able to predict growth for advanced students as well.

Another Board member questioned whether the outcomes from the two vendors were similar. Ms. Loving-Ryder explained that the models were slightly different thus the results were slightly different. School divisions found comparisons of the two sets of data to be helpful.

Mr. Romero noted that the growth of a student is also based on a good teacher. The predictability of the student's growth is based on the assumption that the student will have a good teacher the next year. Another Board member added that the model has to utilize both fixed and flexible variables.

Dr. Staples explained that VDOE cannot explain how each company developed the data, because both vendors have proprietary statistical models that cannot be made public. Both companies certify that their reports are statistically sound and valid predictions.

Ms. Lodal noted concern there is no data available to demonstrate growth for third grade. She suggested that to get that information, schools would need to conduct a pretest at the beginning of third grade. Ms. Loving-Ryder reminded the Board that most schools administer a benchmark in the fall and that the testing time is now 30 percent shorter than previously.

Ms. Loving-Ryder provided an overview of the vertical SOL Scale. VDOE is developing a vertical scale that would connect the scores on all of the tests rather than reporting scores on an individual test. The score would represent a student's across-test score and would require that test be "linked" together.

Ms. Loving-Ryder also noted that under ESSA, off-grade level testing is now permitted, though it is restricted to computer adaptive tests (CAT). The combination of CAT and the vertical scale will allow VDOE to test both proficiency and growth.

With regards to the timeline to implement vertical scales, Ms. Loving-Ryder explained that VDOE hopes to complete the additional study of the math vertical scale in spring 2018, with the plan to implement during the 2018-19 school year. Once the curriculum framework for reading is approved by the Board, the content changes in the SOL will be evaluated so that a timeline can be determined.

### **Adjournment**

There being no further business, the meeting adjourned at 5:12 p.m.