

Virginia Department of Education
Appeal by a School Division of its 2013-2014 Federal Accountability Results
(Based on 2012-2013 Standards of Learning Test 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 decisions are based. If a school division believes the proposed decision is 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 outlined below. 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**.

Appeals Policies and Procedures

The following policies and procedures shall apply to all appeals made by school divisions. A **school division** appeals directly to the Virginia Department of Education concerning its federal accountability decision.

1. An appeal is limited to the following circumstances:
 - When a school division believes that an error or omission was made in reporting the number of enrolled students or the designation of less than a 95 percent participation rate;
 - When a school division believes that an error or omission occurred in the calculation of the passing rate, such as a failure to calculate the reduction of failure rate or a failure to consider a three-year cumulative pass rate;
 - When a school division believes that the demographic information associated with the test scores is in error; or
 - When a school division believes that there was an omission of other information or data necessary to calculate results.

2. Time period for appeals for claims of errors in scoring or reporting of data:
 - The division superintendent is the person designated for filing an appeal made by a school division.
 - 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.
 - 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**. Appeals packets must be submitted to the address below:

Virginia Department of Education
Office of Program Administration and Accountability
Attention: Christopher Kelly
P.O. Box 2120
Richmond, Virginia 23218-2120

- Submit six packets (an original and five copies) per school division appeal. Include as the first document in each packet copies of appropriate school AMO reports. Highlight relevant data that would enhance the review of any of the documents submitted.
3. Review of information and data related to the appeal:
- The school division assumes the burden to demonstrate through supporting evidence that an error has occurred as a basis for appeal.
 - In preparing a response to a school division's appeal, the VDOE may audit data relative to the federal accountability decision. The state reserves the right to investigate any irregularities that are identified in the process of reviewing information related to the appeal. The VDOE will designate the information to be used to review an appeal on a case-by-case basis.
 - Results of the VDOE's review of the appeal will be provided to the division superintendent in writing within 15 business days of receipt of the appeal. If a site visit is required as a part of the review, notification will be made within 15 business days of the visit.
 - The determination made by the VDOE shall be final.

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