VIRGINIA BOARD OF EDUCATION
AGENDA ITEM

Agenda Item: **L**

Date: **November 17, 2022**

Title: **Final Review of a Proposal to Adopt Special Provisions Regarding the Determination of the Performance Level for the Chronic Absenteeism Indicator in Accreditation Years 2023-2024 and 2024-2025**

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Purpose of Presentation:
Action required by state or federal law or regulation

Executive Summary
The Virginia Department of Education (VDOE) requests that the Virginia Board of Education (Board) adopt special provisions (8VAC20-131-380 F 3) to temporarily alter the manner in which the performance level assigned to the chronic absenteeism rate for each school is determined in accountability years 2023-2024 and 2024-2025. Specifically, the VDOE is asking the Board to:

● **remove the 2021-2022 school year chronic absenteeism data from accreditation calculations in accountability year 2023-2024**. This will result in the removal of the cumulative three-year rate and the demonstration of adequate improvement from the determination of a school's performance level for chronic absenteeism in accountability year 2023-2024. The 2022-2023 school year data, therefore, will be the sole determinant of the chronic absenteeism rate; and

● **remove the 2021-2022 school year chronic absenteeism data from the cumulative three-year rate in accountability year 2024-2025,** such that the cumulative year rate will only include data from the 2022-2023 and 2023-2024 school years. Demonstration of adequate improvement will be determined by comparing data from school years 2022-2023 to 2023-2024.

The VDOE is asking the Board to consider removal of the school year 2021-2022 chronic absenteeism data from accountability years 2023-2024 and 2024-2025 because it was negatively impacted by several factors related to the pandemic and was not necessarily an accurate indicator of the school's programs and efforts to engage students in attending school. The [Board did adopt special provisions](#) in April 2022 to remove the chronic absenteeism indicator from the determination of accreditation status in 2022-2023 for this reason. However, the special provisions did require that the chronic absenteeism rates and performance levels still be assigned to and reported for schools.

When the Board approved the special provisions in April 2022, Board members clarified that they were approving a temporary removal of the chronic absenteeism indicator from the determination of accreditation status in 2022-2023, but would later consider how the 2021-2022 school year data would be used in the determination of the performance level for chronic absenteeism in accountability year 2023-2024 and beyond. It should be noted that chronic absenteeism was the only active indicator that was not used in accrediting schools in 2022-2023. When the Board discussed the decision, the accuracy of the other indicators did not come into question. The other indicators were impacted by the pandemic, but they did measure what they were intended to measure.

Lastly, when the Board discussed this current proposal in October 2022, there was a request to look at the following scenario as an alternative to the proposal for the 2023-2024 accountability year:
- remove the 2021-2022 school year data from the calculations;
- use the 2018-2019 school year data as the "previous year;" and
- use the 2017-2018, 2018-2019, and the 2022-2023 school year data in the cumulative three-year rate.

And, in conjunction, for the 2024-2025 accountability year:
- remove the 2021-2022 school year data from the calculations;
- use the 2022-2023 school year data as the "previous year;" and
- use the 2018-2019, 2022-2023, and 2023-2024 school year data in the cumulative three-year rate.

After an analysis of this scenario for the 2023-2024 accountability year, it was *estimated* that a small number of schools (approximately 5%) would have their performance level determined by the current year rate and that the vast majority of schools (over 90%) would benefit from the advantage that the two pre-pandemic years would provide in the cumulative 3-year rate. In addition, using these two pre-pandemic years in the cumulative 3-year rate would result in the majority of schools (approximately 70%) earning a Level One. As such, the analysis indicates that the results will be "skewed upwards" because of the pre-pandemic chronic absenteeism rates. It is also important to note that some of the data used to calculate performance levels in

this scenario are up to five years old. Using this scenario may not necessarily be representative of how schools are currently performing post-pandemic. As such, VDOE staff believe the proposal to remove the 2021-2022 school year data from accountability years 2023-2024 and 2024-2025, and use only the 2022-2023 school year data in accountability year 2023-2024 to be the better option.

The recommendation in this proposal is made with the understanding that the chronic absenteeism indicator may need to be revisited when there are future changes to the accountability system that would impact how chronic absenteeism performance is calculated and reported.

Action Requested:
Final review: Action requested at this meeting.

Superintendent's Recommendation
The Superintendent of Public Instruction recommends that the Board of Education approve the current proposal to adopt special provisions regarding the determination of the performance level for the chronic absenteeism indicator in accreditation years 2023-2024 and 2024-2025 by removing the 2021-2022 school year chronic absenteeism data from the chronic absenteeism calculations, and use only 2022-2023 school year data in accountability year 2023-2024. In addition, in accountability year 2024-2025, the cumulative year rate will only include data only from the 2022-2023 and 2023-2024 school years.

Rationale for Action:
Adopting these special provisions will provide an accurate reflection of how schools have addressed chronic absenteeism post-pandemic, and underscore the need for schools to proactively address chronic absenteeism. Using the 2022-2023 rates as the sole determinant of the performance level also provides the most transparent reflection of the schools' programs and practices to re-engage students in school. It is the most transparent data to drive school improvement as schools engage in addressing this critically important issue.

Previous Review or Action:
Date: October 20, 2022
Action: The Board was presented a First Review of a Proposal to Adopt Special Provisions Regarding the Determination of the Performance Level for the Chronic Absenteeism Indicator in Accreditation Years 2023-2024 and 2024-2025

Background Information and Statutory Authority:
The *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA) at
8VAC20-131-380 F 3 established the Board's authority to adopt special provisions; this section
states the following:

> *The board may adopt special provisions related to the measurement and use of a school
> quality indicator as prescribed by the board. The board may also alter the inclusions and
> exclusions from the performance level calculations by providing adequate notice to local
> school boards.*

The Board previously adopted special provisions in April 2022 to remove chronic absenteeism
from the determination of accreditation status in 2022-2023. In doing so, the earned performance
level and chronic absenteeism rate was still assigned to, and reported for schools, though it was
not considered when assigning an accreditation status (*Accredited* or *Accredited with
Conditions*). When the Board approved this special provision, Board members clarified that they
were approving a temporary removal of the chronic absenteeism indicator from the
determination of accreditation status in 2022-2023, but would later consider how the 2021-2022
school year data would be used in the determination of the performance level for chronic
absenteeism in accountability year 2023-2024 and beyond.

These regulations in the SOA (8VAC20-131-380.F.1.h) describe how performance levels are
determined, so that the Board can compare the proposal to the current regulations.

- For Level One, the performance level is determined by using the best of the current or
  cumulative three year rate or, by using the current year rate if it is in the Level Two range,
  and the school demonstrated at least a 10% improvement in the chronic absenteeism rate
  from the previous year.
- For Level Two, the performance level is determined by using the best of the current or
  cumulative three year rate or, by using the current year rate if it is in the Level Three
  range, and the school demonstrated at least a 10% improvement in the chronic
  absenteeism rate from the previous year.
- For Level Three, the performance level is determined by using the best of the current or
  cumulative three year rate or, if the school has been a Level Two or Level Three through
  four consecutive years.

The table demonstrates the proposed changes for accountability years 2023-2024 and 2024-2025.

	Accountability Year 2023-2024	Accountability Year 2024-2025
Level One	The performance level is determined by using the current rate.	The performance level is determined by using the best of the current or cumulative three-year rate* or, by using the current year rate if it is in the Level Two range, and the school demonstrated at least a 10% improvement in the chronic absenteeism rate from the previous year.
Level Two	The performance level is determined by using the current rate.	The performance level is determined by using the best of the current or cumulative three-year rate* or, by using the current year rate if it is in the Level Three range, and the school demonstrated at least a 10% improvement in the chronic absenteeism rate from the previous year.
Level Three	The performance level is determined by using the current rate.	The performance level is determined by using the best of the current or cumulative three-year rate* or, if the school has been a Level Two or Level Three through four consecutive years.

*Indicates the rate will be calculated with data from the 2022-2023 and 2023-2024 school years.

The Board can reference the following data as they make a decision.

1) Percent of Schools in each performance level for the last three accountability years.

School Year	Accreditation Year	Level One	Level Two	Level Three
2021-2022	2022-2023	66%	27%	7%
2018-2019	2019-2020	91%	7%	1%
2017-2018	2018-2019	88%	9%	2%

2) An analysis of three different scenarios are bulleted below. Note that the 2022-2023 school year chronic absenteeism rates were estimated based on an assumption that the less restrictive quarantine and isolation requirements in the 2022-2023 school year as

compared to the 2021-2022 school year would facilitate a minimum 10% improvement in chronic absenteeism performance.

- If the Board were to decide to use the 2021-2022 school year data in the determination of performance levels in 2023-2024, it is predicted that approximately 10% of schools would use the current year rate, 50% of schools would use the cumulative 3-year rate (benefitting from the pre-pandemic 2018-2019 school year data) and 40% would use sufficient improvement from school year 2021-2022 to 2022-2023. Approximately 90% of schools could earn a Level One.

- If the Board were to decide NOT to use the 2021-2022 school year data in accountability year 2023-2024, but to use the 2017-2018 and 2018-2019 school year data in the calculations (the scenario investigated per Board request during first review), approximately 5% of schools would have their performance level determined by the current year rate and the vast majority of schools (over 90%) would benefit from the advantage that the two pre-pandemic years would provide in the cumulative 3-year rate. In addition, using these two pre-pandemic years in the cumulative 3-year rate would result in the majority of schools (approximately 70%) earning a Level One.

- If the Board were to decide NOT to use the 2021-2022 school year data in accountability year 2023-2024, and decide that the 2022-2023 school year data would be the sole determinant of performance level in the 2023-2024 accountability year (the current proposal), then the distribution of schools among the performance levels would reflect the most recent efforts to engage students to attend school. Assuming a minimal number of schools would have higher chronic absenteeism rates in 2022-2023 than in 2021-2022 because of less restrictive quarantine and isolation requirements in 2022-2023, the performance levels could be fairly balanced between Level One and Level Two at approximately 45% each.

Timetable for Further Review/Action:
Following the Board's decision, the VDOE will alert school divisions to any changes. It is important to let divisions know as soon as possible how their absenteeism rates for this school year will be considered in the accreditation system.

Impact on Fiscal and Human Resources:
There are no fiscal or human resource impacts.