



COMMONWEALTH of VIRGINIA
Department of Education

DATE: October 19, 2018

TO: Division Superintendents

FROM: James F. Lane, Superintendent of Public Instruction

SUBJECT: Testing Requirements under the Every Student Succeeds Act and the 2017 Standards of Accreditation

A number of school divisions have asked for clarification regarding the testing requirements under the federal Every Student Succeeds Act (ESSA) and the 2017 revision to the Standards of Accreditation (SOA).

Every Student Succeeds Act (ESSA)

Under ESSA, students must be tested in reading and mathematics annually in grades 3-8 and once in high school (grades 9-12). In science, students must be tested once in elementary school, once in middle school, and once in high school. Students may meet the ESSA testing requirements by taking a Standards of Learning (SOL) test, or in the case of students with significant cognitive disabilities, participating in the Virginia Alternate Assessment Program (VAAP). Schools that do not test 95 percent of their students in reading and mathematics will be required to submit a plan to the Virginia Department of Education. ESSA does not require a plan for schools that do not test 95 percent of their students in science. Students who do not take the assessments are generally counted as non-participants in the relevant subject area. However, if parents refuse to have their students tested, the students will count as participants and receive a "0" score. As in previous years, the "0" score will be included in the school and division pass rates calculated for the purpose of federal accountability.

Previously under the No Child Left Behind Act, Virginia was approved to use all three of its end-of-course mathematics tests (Algebra I, Geometry, and Algebra II tests) and all three end-of-course science tests (Earth Science, Biology, and Chemistry tests) to meet federal accountability requirements. However, the U.S. Department of Education (USED) now has required Virginia to select one end-of-course test in each subject area to be used for federal accountability.

Virginia selected Algebra I as the high school mathematics test, Biology as the high school science test, and the end-of-course reading test for high school reading. USED has granted

Virginia a waiver so that students who have passed the Algebra I SOL test in middle school can use a score from the Geometry or Algebra II SOL test to meet the high school testing requirement in mathematics. Additionally, Virginia has been granted a waiver so that students who pass the Algebra I, Geometry, and Algebra II tests in middle school can use an SAT, ACT, AP, or IB test score in mathematics to meet the federal accountability requirement. Finally, as communicated to school divisions via [Superintendent's Memo 230-18](#), the Department will seek a waiver from USED to permit the use of all end-of-course mathematics and science tests — as well as certain substitute tests in reading, mathematics, and science — to meet federal accountability requirements.

2017 Revision to the Standards of Accreditation (SOA)

In addition to changes under ESSA, the testing requirements as described in the SOA have also changed. As a point of reference, the requirements for testing are included in the *Student Achievement Expectations* section of the SOA at [8VAC20-131-30](#). The requirements for students in kindergarten through grade 8 are:

B. In kindergarten through eighth grade, where the administration of Virginia Assessment Program tests is required by the board, each student shall be expected to take the tests following instruction. Students who are accelerated shall take the test aligned with the highest grade level, following instruction in the content. No student shall take more than one test in any content area in each year, except in the case of expedited retakes as provided for in this section ...

The SOA requirements for testing students who are enrolled in classes with end-of-course tests are: (**Emphasis** added).

E. **Each student in middle and secondary schools shall take all applicable end-of-course SOL tests following course instruction.** The division superintendent shall certify to the Department of Education that the division's policy for dropping courses ensures that students' course schedules are not changed to avoid end-of-course SOL tests. Students who achieve a passing score on an end-of-course SOL test shall be awarded a verified unit of credit in that course in accordance with the provisions of [8VAC20-131-110](#). Students may earn verified units of credit in any courses for which end-of-course SOL tests are available. **Students shall not be required to take an end-of-course SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation, unless such test is necessary in order for the school to meet federal accountability requirements.** Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade. However, no student who has failed an end-of-course SOL test but passed the related course shall be prevented from taking any other course in a content area and from taking the applicable end-of-course SOL test. The

board may approve additional tests to verify student achievement in accordance with guidelines adopted for verified units of credit described in 8VAC20-131-110.

Application of the Testing Requirements included in ESSA and the 2017 Revision of the SOA

Based on the SOA requirements, students who are enrolled in courses that have end-of-course tests must take the tests unless they have already earned the number of verified credits in that content area needed for graduation. However, even if the student has earned the number of verified credits in the content area needed for graduation, the student is expected to take tests in mathematics, science, and reading while enrolled in high school to meet federal accountability requirements. More specific information about how the requirements are applied in each subject area may be found below.

Mathematics: As stated previously, under ESSA students must take a mathematics test while enrolled in high school for federal accountability. Virginia has selected the Algebra I test as the high school mathematics test. Students who have completed the Algebra I course and passed the test prior to ninth grade must take the either the Geometry or Algebra II SOL test while enrolled in high school. These students have earned a verified credit in mathematics in middle school, but are required to take a mathematics test while enrolled in high school to meet federal accountability requirements. Virginia has received a waiver from USED to allow students who have also passed the Geometry and the Algebra II tests at the middle school level to use scores from the SAT, ACT, IB, or AP tests in mathematics to meet this requirement

Reading: The SOL end-of-course reading test is being used as the high school test for reading. As such, all students must take the SOL end-of-course reading test or, in the case of students with significant cognitive disabilities, participate in VAAP to meet federal accountability requirements.

Science: Under ESSA, students must take a science test while enrolled in high school. Virginia has selected the Biology test as the high school science test. In many school divisions, Earth Science is taught before Biology. Therefore, a student who has passed Earth Science and the associated SOL test has earned a verified credit in science. Because Virginia has selected Biology as the high school science test to meet ESSA requirements, school divisions are expected to administer the Biology test to high school students or, in the case of students with significant cognitive disabilities, have them participate in the Virginia Alternate Assessment Program, regardless of whether they have already earned the verified credits required for science.

As a reminder, schools that do not test 95 percent of their students in science will not have to submit a plan to the Department. However, the school's participation rate will be reported on the School Quality Profile under the ESSA tab.

History: The administration of history/social science tests is not required under ESSA. However, students are required to earn verified credits in history to meet graduation

requirements. Students must take SOL end-of-course tests in history or board-approved substitute tests until they have earned the required number of verified credits.

Writing: The administration of writing tests is not required under ESSA. However, students are required to earn verified credits in writing to meet graduation requirements. School divisions may choose to award verified credits in writing using either the current SOL assessment or local performance assessments. In addition, board-approved substitute tests for the end-of-course writing test may be used to verify credits in writing. Further information regarding the use of local performance assessments to verify credits in writing can be found in the [*Guidelines for the Use of Local Performance Assessments for Verifying Credits in Writing*](#) approved by the Board of Education on September 20, 2018.

Option to “Skip” SOL Tests: Some school divisions have asked if they can skip administering SOL tests to students who have not yet earned the required verified credits in a subject area. For example, school divisions have asked if students who take Earth Science before Biology can skip the Earth Science test. Other school divisions have asked if students can skip taking the end-of-course tests in World Geography, World History I or World History II tests and take the Virginia/United States History test to earn the required verified credit. Based on the requirements of the SOA at [8VAC20-131-30.E](#), students may not skip these tests because they must be administered the end-of-course SOL tests until they have earned the required number of verified credits in the content area.

Student-Selected Verified Credit: Students who entered the ninth grade for the first time prior to 2018-2019 must earn a “student-selected” verified credit. School divisions have asked if students can choose which test they wish to use to meet this requirement or if they must continue to be administered SOL end-of-course tests until they have met the requirement. Because this credit is intended to be “student-selected,” students should be able to choose which test will be used for this purpose. Students may choose to attempt all eligible tests until they meet the additional verified credit requirement, or they may specify which test they will attempt. Students must be counseled carefully in making this decision to ensure that they do not miss the opportunity to earn verified credits. The student selected verified credit is no longer a requirement for students entering the ninth grade for the first time in 2018-2019 and beyond.

Additional Guidance: We continue to receive inquiries and comments from school divisions about testing under the new ESSA and SOA requirements. We have received inquiries about whether a student may be permitted to take an end-of-course test after he or she has earned the required verified credits and met the federal testing requirements. We are reviewing this topic and guidance will be forthcoming to address it and other questions or concerns.

Questions regarding testing requirements should be addressed to the student assessment staff at student_assessment@doe.virginia.gov or by telephone at (804) 225-2102. Questions regarding ESSA requirements should be addressed to ESSA@doe.virginia.gov.