



**COMMONWEALTH of VIRGINIA
Department of Education**

September 26, 2014

TO: Division Superintendents

FROM: Steven R. Staples, Superintendent of Public Instruction

SUBJECT: Appeals Process for Title III Annual Measurable Achievement Objectives (AMAOs) for AMAO 1 (Progress) and AMAO 2 (Proficiency)

Title III Annual Measurable Achievement Objectives

Section 3122 of the *Elementary and Secondary Education Act of 1965* (ESEA) requires states to establish Annual Measurable Achievement Objective (AMAO) targets for English language learners (ELLs) that measure: 1) progress in learning English, AMAO 1 (progress); 2) attainment of English proficiency, AMAO 2 (proficiency); and 3) performance toward meeting annual measurable objectives in reading and mathematics, AMAO 3 (AMOs). School divisions are required to meet all three Title III AMAO targets based on the results of the annual English language proficiency assessment and Standards of Learning assessments.

In fall of 2013, the U.S. Department of Education (USED) provided guidance that states approved for the ESEA flexibility waiver are required to include in Title III AMAO 3 the Annual Measurable Objective targets under Title I to include reading, mathematics, and the Federal Graduation Indicator (FGI) if the division includes one or more high school(s). Therefore, the FGI element has been included in Title III AMAO 3 determinations beginning in 2014-2015.

Title III Accountability

Title III AMAO results are reported at the division and/or consortium level and at the state level, not at the school level. Title III improvement status is based on whether school divisions and/or consortia fail to meet any one or more of the Title III AMAOs for two or more consecutive years.

For School Divisions NOT in Consortia:

- A division that does not meet any one or more Title III AMAOs for two consecutive years must develop an improvement plan addressing the factors preventing the division from achieving the AMAOs.
- A division that does not meet any one or more Title III AMAOs for four consecutive years must modify the curriculum, program, and method of instruction for their English as a Second Language (ESL) program.

For School Divisions in Consortia:

- A division that does not meet the same Title III AMAO(s) the consortium missed for two consecutive years must develop an improvement plan addressing the factors preventing the

division from achieving the AMAOs.

- A division that does not meet the same Title III AMAO(s) the consortium missed for four consecutive years must modify the curriculum, program, and method of instruction for their English as a Second Language (ESL) program.

Title III Appeals Process

Divisions should review Title III achievement data in the Title III Achievement Summary Report and the Title III Consortia Report, available in the Title III ESL application on the Single Sign-On for Web Systems (SSWS) portal. If the division believes that the proposed determinations for AMAO 1 or AMAO 2 are in error for statistical or other substantive reasons, it may provide supporting evidence to the Virginia Department of Education (VDOE) to consider before making a final determination. The policies and procedures for school divisions to use in preparing an appeal for AMAO 1 (progress) or AMAO 2 (proficiency) accountability decisions are found in [Attachment A](#). The Title III AMAO 1 and AMAO 2 Appeal Form is found in [Attachment B](#).

The appeal process for AMAO 3 (AMOs for reading, mathematics, and FGI for the LEP subgroup) was provided in Superintendent's Memo 187-14, dated July 18, 2014:

http://www.doe.virginia.gov/administrators/superintendents_memos/2014/187-14.shtml.

The VDOE must receive appeals filed by the division superintendent of the school division receiving official notice of its Title III AMAO 1 (progress) and/or AMAO 2 (proficiency) accountability decision **no later than Friday, October 31, 2014**. Submit six packets (an original and five copies) to:

Stacy Freeman, Title III Specialist
Virginia Department of Education
P.O. Box 2120
Richmond, Virginia 23218-2120

If there are questions about the appeals process, please contact Mrs. Freeman at Stacy.Freeman@doe.virginia.gov or (804) 371-0778.

SRS/sf

Attachments:

- A. [School Division Appeal of Title III Annual Measurable Achievement Objective \(AMAO\) Results For AMAO 1 \(progress\) and AMAO 2 \(proficiency\) for School Year 2014-2015](#) (Word)
- B. [Title III Annual Measurable Achievement Objective \(AMAO\) Appeals Form for AMAO 1 \(progress\) and AMAO 2 \(proficiency\)](#) (Word)