



**COMMONWEALTH of VIRGINIA  
Department of Education**

November 1, 2013

TO: Division Superintendents

FROM: Patricia I. Wright, 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 Objectives (AMAOs) for English language learners (ELLs) that measure their success in making progress in learning English, achieving proficiency in English, and meeting annual measurable objective (AMO) expectations in reading and mathematics for the Limited English Proficient (LEP) subgroup. The calculations for AMAO 1 (progress) and AMAO 2 (proficiency) are determined based on results from the statewide administration of Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs®). The AMAO 3 (AMO) results for reading and mathematics are determined based on results from the statewide administration of the Standards of Learning (SOL) assessments.

**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 Department of Education 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 and mathematics for the LEP subgroup) was provided in Superintendent's Memo 180-13, dated July 19, 2013:

[http://www.doe.virginia.gov/administrators/superintendents\\_memos/2013/180-13.shtml](http://www.doe.virginia.gov/administrators/superintendents_memos/2013/180-13.shtml).

The Virginia Department of Education 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 Monday, December 2, 2013**. 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 Stacy Freeman, Title III specialist, at [Stacy.Freeman@doe.virginia.gov](mailto:Stacy.Freeman@doe.virginia.gov) or (804) 371-0778.

PIW/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 2013-2014](#) (PDF)
- b. [Title III Annual Measurable Achievement Objective \(AMAO\) Appeals Form for AMAO 1 \(progress\) and AMAO 2 \(proficiency\)](#) (Word)