



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

June 21, 2022

The Honorable Jillian Balow
Superintendent of Public Instruction
Virginia Department of Education
P. O. Box 2120
Richmond, VA 23218

Dear Superintendent Balow:

I am writing in response to Virginia's request on April 22, 2022, to the U.S. Department of Education (Department) to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), using the COVID-19 State Plan Addendum (Addendum). Virginia requested these amendments to account for short-term changes to its system of annual meaningful differentiation for the 2021-2022 school year due to extraordinary circumstances related to the COVID-19 pandemic and in response to the waivers the Department granted Virginia from the accountability requirements of the ESEA for the 2019-2020 and 2020-2021 school years and the assessment requirements for the 2019-2020 school year.

Specifically, Virginia requested the amendments to:

- Shift forward long-term goals and measurements of interim progress for academic achievement, graduation rate, and progress in achieving English language proficiency by two years.
- Shift forward measurements of interim progress for its School Quality or Student Success (SQSS) indicator for chronic absenteeism by two years.
- Revise the third step of its methodology for the identification of the lowest performing five percent of Title I schools as comprehensive support and improvement (CSI) and additional targeted support and improvement (ATSI) schools. From among the schools that do not meet the State's accreditation requirements, Virginia will rank-order the schools (or, for ATSI, subgroups) from the highest to lowest rates of chronic absenteeism and identify for CSI the 5 percent of schools with the highest chronic absenteeism rates (or, for ATSI, with subgroups with the highest chronic absenteeism rates).
- Revise its methodology for the identification of targeted support and improvement schools due to consistently underperforming subgroups (TSI) schools: (1) to use data from the 2018-2019 and 2021-2022 school years, rather than two consecutive years, and (2) for the third step in its three-step process for its methodology. From among the schools that do not meet the State's accreditation requirements and the measurements of interim progress for subgroups for chronic absenteeism for 2018-2019, Virginia will rank-order schools from highest to lowest subgroup rates of chronic absenteeism for 2021-2022 and identify the 10 percent of schools with subgroups with the highest chronic absenteeism rates.
- Revise its exit criteria for CSI schools to: (1) not count the 2019-2020 or 2020-2021 school years toward the number of years in which a CSI school must meet Virginia's criteria for a school to exit CSI status before it must take more rigorous State-determined action; (2) for fall 2022 only,

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consider as exit criteria both whether a school showed improved student performance in reading/language arts and/or mathematics from the time it was first identified and whether the school is no longer in the bottom five percent of Title I schools based on 2021-2022 school year data; and (3) for schools identified as CSI in fall 2018, extend until fall 2024 the time for the schools to exit this status before Virginia requires more rigorous action.

- Revise its exit criteria for ATSI schools to: (1) not count the 2019-2020 or 2020-2021 school years toward the number of years in which an ATSI school must meet the criteria before it becomes a CSI school; and (2) for schools identified as ATSI in fall 2018, extend until fall 2024 the time for the schools to exit this status before becoming CSI schools.

I am approving Virginia's short-term changes to its ESEA consolidated State plan. This letter and Virginia's approved Addendum for the 2021-2022 school year will be posted on the Department's website along with the currently approved version of Virginia's ESEA consolidated State plan (available at: <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/>). Because I am approving changes through the Addendum that are not limited to the 2021-2022 school year (e.g., shifted long-term goals), the State must submit an updated ESEA consolidated State plan that incorporates those approved changes at a later date.

Please be aware that approval of this amendment to Virginia's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Virginia's responsibility to comply with these civil rights requirements.

I know that you are doing all in your power to support your districts and schools to ensure the health and well-being of students and educators. Thank you for your dedication to this effort. If you have any questions, please contact my staff at OESE.TitleI-a@ed.gov.

Sincerely,

/s/

Ruth E. Ryder
Deputy Assistant Secretary for Policy and Program
Office of Elementary and Secondary Education

cc: Amy Siepka, VDOE Director of Accountability