

TESTIMONY BEFORE THE U.S. HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON HEALTHY FAMILIES AND COMMUNITIES AND THE  
SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

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For the past several years the Commonwealth of Virginia legislative and executive branches have been working to establish a strong policy and programmatic framework to promote increased high school graduation rates, with an emphasis on support for students struggling academically and those that are at risk. It is my pleasure to talk with you today about these actions.

**Alternative Education in Virginia**

Over 1.2 million students are attending public schools in Virginia. This number includes 4,002 students who attended one of the 30 regional alternative education programs in the 2008 school year. It includes approximately 19,000 students who receive classroom instruction while serving detention, and students being served by local alternative education programs being administered by school divisions (a reported 15,502 students in the 2005/06 school year). Students serving in Juvenile Correctional Facilities and instructed by the Department of Correctional Education (DCE) number approximately 800.

Regional alternative education programs were established by the General Assembly through a directive to the Virginia Board of Education (the Board) to create educational options for students who have violated local school boards' policies, been expelled or suspended on a long-term basis, or have returned from juvenile correctional centers. Structured to meet individual student needs, they include an intensive

instructional program with rigorous standards for academic achievement and student behavior, counseling, supportive social skills training, career counseling, individual student supports from teachers, and transition planning for regular school return. The Board reports annually on the activities and progress of these programs. Currently there are 29 operational programs, with 114 of 133 school divisions participating.

Education in Virginia's detention centers is also the responsibility of the Board of Education, administered through the Virginia Department of Education's (the Department's) State Operated Programs through agreements with school divisions. There are 24 educational programs staffed with highly qualified teachers who follow the Board of Education's regulations and standards for education.

Alternative and nontraditional educational programs are also developed and administered by school divisions for suspended or expelled students, or for those students who are not succeeding in regular instructional programs. A survey of school division programs for disciplined students, conducted by the General Assembly's Commission on Youth in 2006, indicated that more than half of the 126 responding school divisions offered these students some educational services.

Each local school division with a regional or local jail in its jurisdiction is responsible for the provision of special education and related services to all eligible students incarcerated in the jail for more than ten days. Local school divisions are reimbursed for the instructional costs of providing required special education and related services to students with disabilities in regional or jails through the Virginia Appropriation Act adopted by the General Assembly.

Students in Juvenile Correctional Centers continue their education while incarcerated through the Department of Correctional Education, which functions as an independent school district with a separate board which works in cooperation with the Department of Corrections, the Department of Juvenile Justice, and the Department of Education. There are nine Juvenile Schools, which voluntarily follow the Board of Education's regulations for academic standards, accreditation, and educational programs.

### **Policies, Regulations, and Laws**

#### **Re-enrollment Regulations**

The transitions from a school to a detention center or juvenile justice facility and back to a local school can result in lost academic progress, disengagement from school, and less resilience to risk factors. In 2006 the Board of Education enacted regulations to address re-enrollment of students into public schools after they had been in a detention or a juvenile justice correctional center. The General Assembly through the *Code of Virginia* required that the regulations be promulgated, with the cooperation of the Board of Correctional Education. The purpose of the regulations are to foster coordination and communication among court services units, school divisions, detention centers, juvenile correctional centers, the family, and the student in planning for the release of a student and his or her educational needs. The regulations address consistency in curricula, standards, and policies among the educational programs, timely transfer of information, and individual student plans.

The regulations were developed through the work of a 16 member task force, including parents and citizens, principals from general public, alternative, detention, and Department of Correctional Education schools, parole officers, a school division central

office administrator, and representatives from the Departments of Education, Correctional Education, and Juvenile Justice. Their implementation was supported through statewide institutes, presentations, and training for all stakeholders and the appointment of a responsible coordinator for each state agency. A follow-up survey conducted in 2008 to assess the process indicates that the procedures put in place by the regulations are being followed with no major problems.

One noted result of the regulations has been the building of a deeper understanding of the released student by the receiving school division, and adequate time to prepare for his or her enrollment, educational program, and support. As one DCE principal has stated, “the student who left the home school is often not the same person who is returning.” Because of enhanced communication between personnel in juvenile detention and correctional centers and school division staff, transitional plans for continuation of progress and success can be made, based on student need and with the student’s participation.

### **Standards of Learning**

Within the Virginia Board of Education’s *Comprehensive Plan* are goals and objectives that focus on eliminating the achievement gap between groups of students, support accountability for all schools and school divisions, and adamantly proclaim that “all of Virginia’s children—regardless of their personal circumstances—must have the school environment, the resources, and the teachers to help them be successful at school.” The Board has set curriculum standards for what every child should know in every grade through the adoption of rigorous *Standards of Learning for Virginia Public Schools* for academic subjects. Student achievement is measured through annual assessments based

on these standards for elementary and middle school grades and high school courses. The assessments and the analysis of results are part of the state's accountability system for *No Child Left Behind*, as well as the Board's school accreditation standards.

Students take Standards of Learning assessments in regional programs, in detention educational programs, and in juvenile correctional facilities. Students who are enrolled in a school division and placed in a local alternative education program are required to take these tests. The alignment of what is taught in these settings with the *Standards of Learning* is a priority at the state level.

For example, the Department of Correctional Education recently made fundamental changes to their educational programs that include instructional coaches, comprehensive school improvement plans, and individual student academic performance analysis. The changes are credited with bringing the average Standards of Learning scores for the agency to close to 80 percent, from a beginning point several years ago of 29 percent.

Another illustration of the difference that adherence to standards makes in Virginia detention education programs involves a 16-year-old, referred for discipline reasons from an alternative education program. The center employed a highly qualified local chemistry teacher to work with the student individually for several hours per week in order for him to keep pace with his home school class and earn the credits necessary to count towards graduation.

### **Standards of Accreditation**

The *Code of Virginia* also specifies that the Board of Education shall enact regulations for accrediting schools, which include requirements for instructional

programs, course and credit requirements for graduation from high schools, and student outcome measures. The Standards of Accreditation were revised through an administrative process that was final in February of this year, and included the following: (1) the incorporation of a graduation and completion rate for individual schools into Virginia's accountability system; and (2) the requirement of an Academic and Career Plan for all students, beginning in middle school. With the new regulations, a Graduation and Completion index will be calculated for every school, based on the number and type of student school completions, and will become part of the accreditation process with a five-year phase in process. Consideration of the Academic Career Plan was requested from Governor Timothy M. Kaine through a letter to the Board of Education President Dr. Mark E. Emblidge. The requirement will become effective with seventh graders in 2010-2011. Both of these provisions reflect the Board's emphasis on a quality education for every child and youth in the state, regardless of placement.

### **Studies of Alternative Education, Dropout Prevention, and Truancy**

For the past three years, the General Assembly's Commission on Youth has undertaken two major studies that impact students who have been long term suspended or expelled, those who are risk of dropping out, and those who consistently do not attend school. The studies have addressed the availability of alternative education, dropout prevention, and truancy. Undertaken with the participation of stakeholder advisory groups, the studies have resulted in recommendations for proposed legislation and suggested practices and technical assistance for school divisions.

*A Guide to Local Alternative Education Options for Suspended and Expelled Students in the Commonwealth* was completed by the Commission in 2008, based on a

survey of school divisions conducted with the Virginia Department of Education. The 2009 legislative session resulted in the passage of a bill stemming from the Commission's work, which prohibits the suspension of students for instances of truancy only. It has been signed by the Governor.

### **Best Practices and Prevention**

Implementation of policies, regulations, and laws through the provision of technical assistance to school divisions is a responsibility of the Virginia Department of Education. Under the leadership of the Superintendent of Public Instruction, Dr. Patricia I. Wright, the Department's goal is to strengthen school divisions by providing technical assistance through model programs, guidelines and strategies, and access to resources. As part of this responsibility, the Department provides ongoing assistance in areas such as school improvement, instruction, truancy prevention, student assistance programs, effective schoolwide discipline, and dropout prevention.

Currently 158 schools in 36 school divisions are working directly with the Department on a voluntary basis to implement effective schoolwide discipline. The Department receives applications from schools, reviews them for school readiness, and provides technical assistance to the schools to help them in planning and implementation. Principals of these schools have testified to their success as measured by reduced disciplinary incidents, improved attendance, and improved school climate.

In October, 2008, the Department, in partnership with America's Promise, held a statewide dropout prevention summit for all sectors--business, nonprofit, service, state and local government, and public schools. The summit featured best practices in student and family engagement, policy development, community and business partnerships, and

educational strategies for keeping at risk students in school. State and national models for nontraditional programs were featured, including those which focused on individualized assistance to students who fall behind in school due to student code of conduct infractions, behavioral problems, poor attendance, repeated grades, lack of academic success, and inability to recover necessary credits for graduation. A recurring theme was the use of indicators to capture “signals” that a middle school or high school student may be at high risk of dropping out and to intervene early with individual support.

A system of early identification and monitoring individual student progress over time requires an information system that provides data to track students. The Virginia Department of Education has developed the Educational Information Management System to provide unique identifiers to each Virginia public school student. Using this system, the department is developing and piloting a tool with four school divisions to identify students leaving the 8<sup>th</sup> grade who may be at risk for not graduating. Early identification opens the door for intervention for a student while he or she is still in the regular school classroom.

### **Conclusion**

Thank you for this opportunity to provide information about the Commonwealth of Virginia’s educational system. Actions by the Governor, the Virginia Board of Education, the Virginia General Assembly’s Commission on Youth, and the Virginia Department of Education have resulted in policies and practices to promote academic excellence and achievement through prevention, early intervention, quality instruction, and individualized planning to address diverse learning needs of all students.

