



January 11, 2022

The Honorable Louise Lucas
Chair of Senate Education and Health
Pocahontas Building, Room E604
900 East Main Street
Richmond, Virginia 23219

The Honorable Janet Howell
Chair of Senate Finance
Pocahontas Building, Room E509
900 East Main Street
Richmond, Virginia 23219

The Honorable Glenn Davis
Chair of House Education
Pocahontas Building, Room W439
900 East Main Street
Richmond, Virginia 23219

The Honorable Barry Knight
Chair of House Appropriations
Pocahontas Building, Room W434
900 East Main Street
Richmond, Virginia 23219

Dear Mesdames and Sir:

Item 129 (G) of Chapter 854 of the 2019 Appropriations Act and Section 138.G of HB1800 (Chapter 552). The 2019 Appropriations Act designated the Virginia Department of Education (VDOE) to serve as the lead agency to collect and report data that will succinctly measure the progress and outcomes of students who are placed in private provider settings by such students' public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. Additionally, the 2019 Appropriations Act required the VDOE, in collaboration with the Office of Children's Services (OCS), to establish an implementation advisory group to assist in refining the outcome measures for students with disabilities served in private schools for students with disabilities. The outcome measures to be refined were those outlined in the Private Day Special Education Outcomes report of findings and recommendations presented to the Chairman of the House Education and Appropriations Committees and the Senate Educational and Health and Finance Committees, pursuant to Item 282 (O) of Chapter 2 of the 2018 Appropriations Act, on November 1, 2018. Specifically, the outcome measures identified were: (i) student attendance rates; (ii) graduation rates; (iii) individual student progress improvement rates relative to student individual education plans; (iv) standardized test scores; (v) return to public school setting percentages; (vi) suspension and expulsion rates; (vii) transition to enrolling in postsecondary education percentages; and (vii) parental and

The Honorable L. Louise Lucas, The Honorable Janet Howell
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student perspectives. Subsequently, the 2021 General Assembly amended Section 138.G of HB1800 (Chapter 552) to include subsection 138.G.6, which charged the VDOE with collecting and publishing data annually from each private special education day school on the following additional elements: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

The attached report has been prepared as a response to the above requirements. If you require additional information, please contact Holly Coy, Assistant Superintendent, Department of Policy and Communications at (804) 225-2092 or holly.coy@doe.virginia.gov.

Sincerely,



Rosa S. Atkins, Ed.D.,

Acting Superintendent of Public Instruction

RSA/SMH/jgh

Enclosure

Annual Report on the Outcome Data Measuring Student Progress for Students with Disabilities Enrolled in Special Education Private Day Schools

**Report to the Chairmen of the House Appropriations, House Education,
Senate Finance, and Senate Education and Health Committees pursuant to
Item 129 (G) of Chapter 2 of the 2019 *Appropriations Act* and Item 138.G.6 of
Chapter 552 of the 2021 *Appropriations Act***

Presented to:

Virginia General Assembly

Virginia Department of Education

P. O. Box 2120

Richmond, Virginia 23218-2120



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AUTHORITY

This report has been prepared as a response to Item 129 (G) of Chapter 854 of the 2019 *Appropriations Act* and Section 138.G of HB1800 (Chapter 552). The 2019 *Appropriations Act* designated the Virginia Department of Education (VDOE) to serve as the lead agency to collect and report data that will succinctly measure the progress and outcomes of students who are placed in private provider settings by such students' public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. Additionally, the 2019 *Appropriations Act* required the VDOE, in collaboration with the Office of Children's Services (OCS), to establish an implementation advisory group to assist in refining the outcome measures for students with disabilities served in private schools for students with disabilities. The outcome measures to be refined were those outlined in the Private Day Special Education Outcomes report of findings and recommendations presented to the Chairman of the House Education and Appropriations Committees and the Senate Educational and Health and Finance Committees, pursuant to Item 282 (O) of Chapter 2 of the 2018 *Appropriations Act*, on November 1, 2018. Specifically, the outcome measures identified were: (i) student attendance rates; (ii) graduation rates; (iii) individual student progress improvement rates relative to student individual education plans; (iv) standardized test scores; (v) return to public school setting percentages; (vi) suspension and expulsion rates; (vii) transition to enrolling in postsecondary education percentages; and (viii) parental and student perspectives. Subsequently, the 2021 General Assembly amended Section 138.G of HB1800 (Chapter 552) to include subsection 138.G.6, which charged the VDOE with collecting and publishing data annually from each private special education day school on the following additional elements: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

EXECUTIVE SUMMARY

The *Code of Virginia* (§ 2.2-5211.B.1 and § 2.2-5211.B.2) establishes that: "children and youth placed for purposes of special education in approved private school educational programs..." are in the target population for the *Children's Services Act* state pool funds. Section 2.2-5211.C. establishes that "the General Assembly and the governing body of each county and city shall annually appropriate such sums of money as shall be sufficient to (i) provide special education

services and foster care services for children and youth identified in subdivisions B 1, B 2, and B 3 and (ii) meet relevant federal mandates for the provision of these services....”

Private day schools provide comprehensive special education services for students with disabilities. Many provide services to students within specific disability groups, for example, autism, emotional disabilities, intellectual disabilities. For students, a private day school may provide a more structured environment and the opportunity to work on academic, behavioral, and social goals in a coordinated and integrated way that might not be possible in a public school setting. Some students display unsafe behaviors and learning challenges that are unable to be addressed at the public school. The student’s Individualized Education Program (IEP) Team (a team of professionals familiar with a particular student’s needs and progress) makes the recommendation to place a student at a private day school, in keeping with the requirements of the *Individuals with Disabilities Education Act* (IDEA) and state special education regulations that require students to receive a free and appropriate education in their least restrictive environment. This recommendation often follows a public school’s multiple unsuccessful attempts at interventions and least restrictive environment changes to address the student’s needs.

In 2016, the *Appropriations Act* directed the State Executive Council (SEC) for the *Children’s Services Act* to review and develop a robust set of options for increasing the number of children placed for special education private day school services who later return to their public school settings. This included efforts to involve local public school districts to track and monitor outcome data to assist in making decisions on the appropriate utilization of private day school services. The SEC commissioned a representative workgroup of stakeholders, which included many of those included in the current workgroup producing this report. The 2016 SEC report to the General Assembly (refer to RD429) included an option to “*identify and collect data on an array of measures to assess the efficacy of private special education day school placements.*” As part of ongoing consideration related to placement of students with educational disabilities in private day school programs, the 2018 General Assembly directed the Office of Children’s Services (OCS), in coordination with the VDOE, to facilitate a workgroup “to identify and define outcome measures to assess student’s progress in private day placements.”

The required workgroup met in four meetings in the summer and fall of 2018. There was considerable discussion regarding the wide variety and severity of disabilities among the population of students who require private day school placement. Because of this, some in the workgroup were concerned regarding the relevance of global outcome measures of the educational services provided in the private day school setting. Other workgroup members felt that private day schools should be assessed on similar outcome standards as those for public school services for students with disabilities, since public schools face similar challenges in serving this population of students. The 2018 workgroup’s findings and recommendations were presented to the Chairman of the House Education and Appropriations Committees and the

Senate Educational and Health and Finance Committees, pursuant to Item 282 (O) of Chapter 2 of the 2018 *Appropriations Act* on November 1, 2018. Subsequently, the 2019 General Assembly passed HB 1700, which states, in Item 129 (G) of Chapter 854 of the 2019 *Appropriations Act*:

G.1. The Department of Education shall serve as the lead agency to collect and report data that succinctly measures the progress and outcomes of students that are placed in private provider settings by such student's public school of residence in Virginia or have been placed in a private provider facility by other legal means for which the Commonwealth is responsible for providing education. In keeping with the November 1, 2018, Private Day Special Education Outcomes report's findings and recommendations, the data shall include at least student attendance rates, graduation rates, individual student progress improvement rates relative to student individual education plans, standardized test scores, return to public school setting percentages, suspension and expulsion rates, transition to enrolling in post-secondary education percentages, and parental and student perspectives.

G.2. The Department of Education, in collaboration with the Office of Children's Services, shall establish an implementation advisory group to assist in refining the outcome measures contained in paragraph G.1 of this item and the collection of any additional information that is beneficial in determining and measuring outcomes of such students in private day school settings that ensure a consistent set of comparable and compatible data relative to such data of students enrolled in the public schools in Virginia and who have an individualized education plan. The advisory workgroup shall include a representative number of various stakeholders that includes, but is not limited to, private day schools, local school divisions, associations that represent private providers, and others as necessary. The advisory group shall assist in the development of data collection protocols, requirements, and outcome reporting mechanisms. The relevant data shall be provided to the department annually by each private provider that receives state funding for the purpose of providing services as prescribed in such student's individualized education plan.

G.3. The department shall begin collecting outcome data for private day special education schools in the 2019-2020 school year, if possible, but no later than the 2020-2021 school year. If warranted, other state agencies shall provide appropriate support to facilitate the collection of such data. All public school divisions that have students enrolled in such a private provider facility shall include in their contract for services with the private provider a requirement for the department to receive the data necessary to satisfy the data collections and

subsequent reporting requirements. The department shall report annually on the outcome data for students enrolled in special education private day schools to Chairmen of the House Appropriations, House Education, Senate Finance, and Senate Education and Health Committees by the first day of the regular General Assembly Session.

G.4. The Department of Education shall enter into a data sharing Memorandum of Understanding with the Office of Children's Services to allow linkage of specific student data to specific private day schools.

G.5. The Department of Education and the Office of Children's Services shall have authority to implement these changes effective July 1, 2019, and prior to the completion of any regulatory process undertaken in order to effect such changes.

During the spring, summer, and fall of 2019, the advisory committee met over five sessions to discuss the existence of and/or the need for development of protocols for collecting and reporting on the outcome measures previously identified. In preparation for its deliberations, the advisory committee received a presentation from the VDOE's Office of Education Information Management (EIM) on what is currently collected at the VDOE level relevant to students placed in private provider settings. This presentation noted that, historically, local educational agencies have been collecting data from private schools and reporting them in the Student Records Collection (SRC)¹ using a generic code of 600, representing that the student's educational placement was in a private provider setting. Following discussion on how the data on certain identified outcome measures regarding a specific private school could be collected, all private schools have been assigned a specific school code by the VDOE EIM office to aide in the collection and tabulation of that data. After significant input from all stakeholders, the advisory committee considered modifications, additions, and deletions to the existing VDOE data collection elements on the following categories: (i) graduation rates; (ii) attendance; (iii) individual student progress; (iv) standardized test scores; (v) return to public school setting; (vi) postsecondary transition; (vii) suspension and expulsion; (viii) restraint and seclusion; (ix) parent satisfaction; and (x) student perspectives.

Additionally, the 2021 General Assembly amended Section 138.G of HB1800 (Chapter 552) to include 138.G.6, which states:

G.6. The Department of Education shall collect and publish data annually from

¹ The Student Record Collection (SRC) system enables the Commonwealth and its school divisions to comply with the information and reporting requirements of the *Every Student Succeeds Act* (ESSA). The system also reduces the reporting burden on school divisions and ensures continuity and validity in all enrollment-based data collections.

each private special education day school on: (i) the number of teachers who are not fully endorsed in the content that they are teaching; (ii) the number of teachers who have less than one year of classroom experience; (iii) the number of teachers who are provisionally licensed; (iv) the type of academic credentials attained by each teacher and in what subjects; (v) the number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years; (vi) each school's accreditation status, including the accrediting body; and (vii) the number of incidents of restraint and seclusion occurring in each of the previous three academic years.

DATA PRESENTATION

The data reflected below has been collected from the Student Records Collection (SRC), maintained by the VDOE, for Outcome Measures #1, #2, #4, #5, #7, and #8, or has been self-reported by the private schools for students with disabilities licensed by the VDOE, in that some information, such as that required for Outcome Measures #3 and #11 through #16, are not collected through the SRC. The data for Outcome Measure #6 was collected from the Virginia Commonwealth University (VCU) Rehabilitation Research and Training Center (RRTC), which collects and reports on postsecondary outcomes for all students with disabilities within the Commonwealth. Data for the Outcome Measures #9 and #10 were collected through a survey developed by the VDOE, following input received through the workgroup membership that was convened during 2018 and 2019.

OUTCOME MEASURE #1 – GRADUATION

Outcome Measure Defined:

- Percentage of students eligible for graduation who were enrolled in a private school for students with disabilities for a minimum of 90 days in the graduation year and received a state recognized diploma², General Educational Development Certificate (GED), or a certificate of program completion in accordance with the student's Individualized Education Program (IEP). This outcome shall be reported in the following categories:
 - Advanced Studies Diploma
 - Standard Diploma

² While private schools for students with disabilities who have achieved accreditation through one of the Virginia Council of Private Education (VCPE) accrediting agencies can issue diplomas, such diplomas are not the equivalent of a state recognized diploma and, as such, are not included in the reporting of graduation status.

- Modified Standard Diploma³
 - Applied Studies Diploma
 - General Educational Development Certificate (GED)
 - Certificate of Program Completion
- Percentage of students who were enrolled in a private school for students with disabilities for a minimum of 90 school days in the graduation year and satisfied the on-time graduation benchmark set for students with disabilities.

Data Presentation:

Graduation Diploma Type

(Total Number of Eligible Graduates: 520;

Percentage of Potential Graduates that Received a Diploma: 50.0%)

Diploma Type	Total Number of Diplomas
Advanced	0
Standard	113
Modified	1
Applied Studies	144
GED	1
Certificate	1
Total	260

On-Time Graduation Rate

Total Number of Graduates	Number of Graduates Meeting the On-Time Graduation Benchmark	Percentage
260	6	2.3%

OUTCOME MEASURE #2 – ATTENDANCE

Outcome Measure Defined:

- Percentage of students who were enrolled in a private school for students with disabilities for 90 school days within a consecutive school year whose percentage of attendance increased from prior placement;
- Percentage of students who were enrolled in the same private school for students with disabilities for six months or longer whose percentage of attendance has increased to at least 80 percent or more of the of the scheduled school days; and

³ The Modified Standard Diploma is not an option for students with disabilities who entered the ninth grade for the first time beginning in the 2013-2014 school year.

- Percentage of students enrolled in the same private school for students with disabilities for at least one full school year whose percentage of attendance has increased to at least 90 percent or more of the scheduled school days.

Data Presentation:

ATTENDANCE

Percentage of students who were enrolled in a private school for students with disabilities for 90 school days within a consecutive school year whose percentage of attendance increased from prior placement.

Given the amount of school closures and the increased use of virtual instruction within the private schools for students with disabilities as a result of the COVID-19 pandemic, the attendance information for the 2019-2020 school year is not inclusive of all required attendance data needed to evaluate this measurement.

Outcome Measure	Total Number of Students	Total Number of Students Whose Attendance Increased to More Than or Equal to 80 Percent	Percentage
Percentage of students who were enrolled in the same private school for students with disabilities for six months or longer whose percentage of attendance has increased to at least 80 percent or more of the scheduled school days.	2,696	2,523	93.6%

Outcome Measure	Total Number of Students	Total Number of Students Whose Attendance Increased to More Than or Equal to 90 Percent	Percentage
Percentage of students enrolled in the same private school for students with disabilities for at least one full school year whose percentage of attendance has increased to at least 90 percent or more of the scheduled school days.	299	196	98.5%

OUTCOME MEASURE #3 – INDIVIDUAL STUDENT PROGRESS

Outcome Measure Defined:

- Measurement of student progress over time in the following four key domains:
 - communication skills and social functioning;
 - acquisition of knowledge and skills;
 - adaptive behavior; and
 - daily living skills and self-reliance.

Data Presentation:

The procedures established for collecting the data for measuring student progress require that, within 60 calendar days of the start of the 2020-2021 school year or within 60 calendar days of enrollment in a private school for students with disabilities, students were to be given an evaluation using a formalized assessment measurement to gain base-line data on individual student level of functioning in the four domains identified above. This assessment needs to be an age-anchored assessment and could include curriculum-based, norm-referenced, or criterion-referenced.⁴

At the start of the 2020-2021 school year many of the students enrolled in private schools were participating in virtual instruction and, as such, were not available for the required evaluation to set the base-line for this measurement. As such, there is limited to no data available for the 2020-2021 school year related to the measurement of student progress. However, private school personnel and local school division personnel serving as the private school placement coordinator, or other similar positions, have been trained in the Student Improvement Measures and Summary (SIMS) process and the private schools have begun the assessment process for students enrolled in their facilities for the 2021-2022 school year. The private school administration has been provided by the VDOE with a Student Improvement Measures and Summary form to be completed for each child enrolled in the private schools, which must be maintained in each student's record. While the data on student progress will be officially reported to the VDOE no later than September 15, reflecting results through the preceding school year, the private school monitoring specialists will be looking for the assessment data information in student records during monitoring reviews during the 2021-2022 school year. The VDOE private school staff are also working with the Office of System Development and Databases to develop a data entry system so that designated school personnel will be able to enter SIMS ratings into the VDOE Single Sign-on Web System (SSWS) portal to ease in submission and review of the data.

OUTCOME MEASURE #4 – STANDARDIZED TEST SCORES

Outcome Measure Defined:

- Percentage of students enrolled in private schools for students with disabilities who, in accordance with their Individualized Education Program (IEP), participated in the Virginia statewide assessment program in the following areas:
 - English/reading, and
 - Math

⁴ The protocol for curriculum-based, norm-referenced, and criterion-referenced measurements is that the assessment be given in-person.

- Percentage of students enrolled in private schools for students with disabilities who, in accordance with their Individualized Education Program (IEP), received at proficient score on the Virginia statewide assessment program in the following areas:
 - English/reading; and
 - Math
- Percentage of students enrolled in private schools for students with disabilities who were identified to “opt-out” of state standardized tests by their parents, or themselves as an adult student (age 18 and above).

Data Presentation:

Percentage of students enrolled in private schools for students with disabilities who, in accordance with their Individualized Education Program (IEP), participated in the Virginia statewide assessment program in English/reading and mathematics.

OVERALL TOTALS

Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
3,755	3,125	83.2%

READING TOTALS

Outcome Measure: Participation in the Virginia Statewide Assessment Program	Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
Standards of Learning (SOL)	1,273	947	74.4%
Virginia Alternate Assessment Program (VAAP)	520	476	91.5%
READING TOTALS	1,793	1,423	79.4%

GRADE LEVEL READING

Outcome Measure: Participation in the Virginia Statewide Assessment Program	Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
Grade 3 English/Reading – SOL	103	89	86.4%
Grade 3 English/Reading – VAAP	40	38	95.0%
Grade 4 English/Reading – SOL	151	123	81.5%
Grade 4 English/Reading – VAAP	50	45	90.0%
Grade 5 English/Reading – SOL	154	118	76.6%
Grade 5 English/Reading – VAAP	59	56	94.9%
Grade 6 English/Reading – SOL	165	138	83.6%
Grade 6 English/Reading – VAAP	67	62	92.5%
Grade 7 English/Reading – SOL	212	183	86.3%
Grade 7 English/Reading – VAAP	94	86	91.5%
Grade 8 English/Reading – SOL	273	210	76.9%
Grade 8 English/Reading – VAAP	101	87	86.1%
Grade 11 End-of-Course (EOC) Reading – SOL	215	197	91.6%
High School Reading – VAAP	109	102	93.6%

MATHEMATICS TOTALS

Outcome Measure: Participation in the Virginia Statewide Assessment Program	Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
Standards of Learning (SOL)	1,424	1,215	85.3%
Virginia Alternate Assessment Program (VAAP)	538	487	90.5%
MATHEMATICS TOTALS	1,962	1,702	86.7%

GRADE LEVEL MATHEMATICS

Outcome Measure: Participation in the Virginia Statewide Assessment Program	Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
Grade 3 Math – SOL	102	88	86.3%
Grade 3 Math – VAAP	40	37	92.5%
Grade 4 Math – SOL	105	81	77.1%
Grade 4 Math – VAAP	50	45	90.0%
Grade 5 Math – SOL	151	127	84.1%

Outcome Measure: Participation in the Virginia Statewide Assessment Program	Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Participated in the Statewide Assessment Program	Percentage
Grade 5 Math – VAAP	59	56	94.9%
Grade 6 Math – SOL	165	140	84.8%
Grade 6 Math – VAAP	77	73	94.8%
Grade 7 Math – SOL	210	189	90.0%
Grade 7 Math – VAAP	103	95	92.2%
Grade 8 Math – SOL	272	215	79.0%
Grade 8 Math – VAAP	101	87	86.1%
High School Mathematics – VAAP	108	94	87.0%
Algebra I	319	284	89.0%
Algebra 2	11	10	91.0%
Geometry I	89	81	91.0%

Percentage of students enrolled in private schools for students with disabilities who, in accordance with their Individualized Education Program (IEP), received a proficient score on the Virginia statewide assessment program in English/reading and mathematics.

OVERALL TOTALS

Total Number of Students Who Participated in the Statewide Assessment Program	Total Number of Students Who Received a Proficient Score on the Statewide Assessment Program SOL	Percentage
3,236	951	29.4%

READING TOTALS

Standards of Learning (SOL)	1,058	251	23.7%
Virginia Alternate Assessment Program (VAAP)	476	305	64.1%
READING TOTALS	1,534	556	36.2%

GRADE LEVEL READING

Grade 3 English/Reading – SOL	89	18	20.2%
Grade 3 English/Reading – VAAP	38	28	73.7%

Grade 4 English/Reading – SOL	123	26	21.1%
Grade 4 English/Reading – VAAP	45	34	75.5%
Grade 5 English/Reading – SOL	118	20	16.9%
Grade 5 English/Reading – VAAP	56	39	69.6%
Grade 6 English/Reading – SOL	138	29	21.0%
Grade 6 English/Reading – VAAP	62	30	48.4%
Grade 7 English/Reading – SOL	183	47	25.7%
Grade 7 English/Reading – VAAP	86	66	76.7%
Grade 8 English/Reading – SOL	210	45	21.4%
Grade 8 English/Reading – VAAP	87	50	57.5%
Grade 11 End-of-Course (EOC) Reading – SOL	197	66	33.5%
High School Reading – VAAP	102	58	56.9%

MATHEMATICS TOTALS

Standards of Learning (SOL)	1,215	79	6.5%
Virginia Alternate Assessment Program (VAAP)	487	316	64.9%
MATHEMATICS TOTALS	1,702	395	23.2%

GRADE LEVEL MATHEMATICS

Grade 3 Math – SOL	88	4	4.5%
Grade 3 Math – VAAP	37	27	73.0%
Grade 4 Math – SOL	81	11	13.6%
Grade 4 Math – VAAP	45	36	80.0%
Grade 5 Math – SOL	127	4	3.1%
Grade 5 Math – VAAP	56	40	71.4%
Grade 6 Math – SOL	140	10	7.1%
Grade 6 Math – VAAP	73	45	61.6%
Grade 7 Math – SOL	189	13	6.9%
Grade 7 Math – VAAP	95	57	60.0%
Grade 8 Math – SOL	215	13	6.0%
Grade 8 Math – VAAP	87	56	64.4%
High School Mathematics – VAAP	94	55	58.5%
Algebra I	284	20	7.0%
Algebra 2	10	0	0%
Geometry I	81	4	4.9%

Percentage of students enrolled in private schools for students with disabilities who were “opted out”⁵ of Virginia state standardized tests by their parents, or themselves as an adult student (age 18 and above).

OVERALL TOTALS

⁵ Virginia law does not provide for students to ‘opt out’ of the SOL tests. However, Virginia law does allow parents, or adult students, to refuse participation in SOL testing for their children, or themselves, as appropriate.

Total Number of Students with an IEP Requiring Participation in a Virginia Assessment	Total Number of Students Who Opted Out of the Statewide Assessment Program	Percentage
3,758	424	11.3%

READING TOTALS

Standards of Learning (SOL)	1,273	168	13.2%
Virginia Alternate Assessment Program (VAAP)	523	40	7.6%
READING TOTALS	1,796	208	11.6%

GRADE LEVEL READING

Grade 3 English/Reading – SOL	103	12	11.7%
Grade 3 English/Reading – VAAP	40	3	7.5%
Grade 4 English/Reading – SOL	151	23	15.2%
Grade 4 English/Reading – VAAP	50	3	6.0%
Grade 5 English/Reading – SOL	154	31	20.1%
Grade 5 English/Reading – VAAP	59	3	5.1%
Grade 6 English/Reading – SOL	165	24	14.5%
Grade 6 English/Reading – VAAP	67	4	6.0%
Grade 7 English/Reading – SOL	212	23	10.8%
Grade 7 English/Reading – VAAP	94	8	8.5%
Grade 8 English/Reading – SOL	273	50	18.3%
Grade 8 English/Reading – VAAP	101	13	12.9%
Grade 11 EOC Reading – SOL	215	5	2.3%
High School Reading – VAAP	109	6	5.5%

MATHEMATICS TOTALS

Standards of Learning (SOL)	1,424	167	11.7%
Virginia Alternate Assessment Program (VAAP)	538	49	9.1%
MATHEMATICS TOTALS	1,962	216	11.0%

GRADE LEVEL MATHEMATICS

Grade 3 Math – SOL	102	13	12.7%
Grade 3 Math – VAAP	40	3	7.5%
Grade 4 Math – SOL	105	21	20.0%
Grade 4 Math – VAAP	50	3	6.0%
Grade 5 Math – SOL	151	17	15.9%
Grade 5 Math – VAAP	59	3	5.1%
Grade 6 Math – SOL	165	22	13.3%
Grade 6 Math – VAAP	77	5	6.5%
Grade 7 Math – SOL	210	21	10.0%
Grade 7 Math – VAAP	103	8	7.8%
Grade 8 Math – SOL	272	48	17.6%
Grade 8 Math – VAAP	101	13	12.9%

High School Mathematics – VAAP	108	13	12.9%
Algebra I	319	21	6.6%
Algebra 2	11	1	9.1%
Geometry I	89	3	3.4%

OUTCOME MEASURE #5 – RETURN TO PUBLIC SCHOOL SETTING

Outcome Measure Defined:

- Number and percentage of students who transitioned back to the public school setting from a private school for students with disabilities as specified in the placement determination of the student’s IEP Team. This measure will be reflective of the number and percentage of each grade level (elementary, middle, high).

Data Presentation:

RETURN TO PUBLIC SCHOOL

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 1	81	4	4.9%
Grade 2	122	6	4.9%
Grade 3	187	7	3.7%
Grade 4	268	16	6.0%
Grade 5	296	18	6.1%
Total Elementary School	954	51	5.3%

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 6	330	21	6.4%
Grade 7	421	25	5.9%
Grade 8	517	48	9.3 %
Total Middle School	1,268	94	7.4%

Grade Level	Number of Students in Private Placements in School Year (SY) 2020-2021	Number of Students Returned to Public School in School Year (SY) 2020-2021	Percentage
Grade 9	592	68	12.9%
Grade 10	529	52	8.8%
Grade 11	465	47	10.1%
Grade 12	790	86	10.9%
Total High School	2,736	253	9.2%
Total Student Population	4,594	398	8.7%

OUTCOME MEASURE #6 – POSTSECONDARY TRANSITION

Outcome Measure Defined:

- Percentage of students with disabilities no longer in secondary school with IEPs in effect at the time they left school who were:
 - Enrolled in higher education within one year of leaving high school.
 - Enrolled in higher education, or competitively employed, within one year of leaving high school.
 - Enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of exiting high school.

Data Presentation:

SECONDARY TRANSITION OUTCOMES

Number of Graduates SY 2019-2020	Number of Surveys Attempted	Percentage of Graduates Attempted	Number of Surveys Completed	Response Rate Percentage
264	144	54.5%	77	53.5%

MEASUREMENT: Percentage of students with disabilities no longer in secondary school with IEPs in effect at the time they left school who were: (i) enrolled in higher education within one year of leaving high school; (ii) enrolled in higher education, or competitively employed, within one year of leaving high school; or (iii) enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of exiting high school.

Outcome Measure	Number of Graduates	Indicator Percentage	State Target Percentage
Enrolled in higher education within one year of leaving high school.	7	10.4%	35%
Enrolled in higher education, or competitively employed, within one year of leaving high school.	26	33.8%	65%
Enrolled in higher education or in some other postsecondary education or training program, or competitively employed or in some other employment within one year of exiting high school.	40	51.9%	72%

OUTCOME MEASURE #7 – SUSPENSION AND EXPULSION

Outcome Measure Defined:

- Percentage of students suspended or expelled greater than ten days in a school year.

Data Presentation:

SUSPENSION AND EXPULSION

Number of Students Suspended Greater Than Ten Days	Percentage
7	< 1%

Number of Students Expelled Greater Than Ten Days	Percentage
8	< 1%

OUTCOME MEASURE #8 – RESTRAINT AND SECLUSION

Outcome Measure Defined:

- Annual collection of the number of restraint and seclusion occurrences, as required by the *Regulations Governing the Operation of Private Schools for Students with Disabilities*, at 8VAC20-671-660.B.11, occurring in each of the previous three academic years.

Data Presentation:

RESTRAINT AND SECLUSION

School Year	Total Number of Restraints	Total Number of Seclusions
2020-2021 ⁶	4,114	1,834
2019-2020	10,688	7,203
2018-2019	13,371	5,835
2017-2018	14,486	5,641

OUTCOME MEASURE #9 – PARENT INVOLVEMENT SURVEY

Outcome Measure Defined:

- Survey parents of students enrolled in private schools for students with disabilities to assess their satisfaction with and obtain feedback regarding their child’s experience in the private school environment.

Data Presentation:

Parent Survey Responses

Total Number of Surveys Completed: 1,211

RESPONSES TO QUESTIONS

Questions	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Response
My child’s school helped me become involved to improve services and results for my child with a disability.	542	324	152	29	57	107
I was comfortable asking questions, discussing my child’s progress, and expressing concerns about my child’s special education program and services.	711	287	59	18	50	86

⁶ The number of restraints and seclusion reported by the private schools for students with disabilities for the 2020-2021 school year are significantly lower than the previous three years. This data will continue to be monitored regarding the impact of the use of virtual instruction as well as updates to regulatory requirements and guidance.

My child’s private school and I participated in regular “two way” communication throughout the school year.	663	276	95	28	53	96
I was provided information about school and community resources, supports, and services available to me to obtain assistance and information on the special education process.	519	337	158	49	62	86

OUTCOME MEASURE #10 – STUDENT PERSPECTIVE SURVEY

Outcome Measure Defined:

- Survey of students enrolled in private schools for students with disabilities to assess their satisfaction with and obtain feedback regarding their experience in the private school environment.

Data Presentation:

Student Perspective Survey Responses

Total Number of Surveys Completed: 702

RESPONSES TO QUESTIONS

Questions	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	No Response
I feel welcomed in my private school.	303	211	118	11	30	29
Teachers and other adults at this school care about me and want me to succeed.	356	213	71	14	19	29
I am making progress in my school work since being in this school.	268	250	112	15	28	29
My behavior has improved since being in this school.	242	235	135	29	29	32
I am ready to go back to my home school.	209	125	131	84	119	34

OUTCOME MEASURE #11 – TEACHER ENDORSEMENT

Outcome Measure Defined:

- The number of teachers who are not fully endorsed in the content that they are teaching.

Data Presentation:

Number of teachers not fully endorsed in the content area that they are teaching:⁷ **218**

⁷ This number includes staff members who are assigned as long-term substitutes.

OUTCOME MEASURE #12 – TEACHER EXPERIENCE

Outcome Measure Defined:

- The number of teachers who have less than one year of classroom experience.

Data Presentation and Analysis:

TEACHER CLASSROOM EXPERIENCE

Number of Teachers with Less Than One Year of Classroom Experience	Number of Teachers with 2-5 Years of Classroom Experience	Number of Teachers with 6-10 Years of Classroom Experience	Number of Teachers with More Than 10 Years of Classroom Experience
33	189	120	243

OUTCOME MEASURE #13 – PROVISIONALLY LICENSED TEACHERS

Outcome Measure Defined:

- The number of teachers who are provisionally licensed.

Data Presentation:

Provisionally Licensed Teachers

Number of Teachers Employed in Private Schools for Students with Disabilities who are Provisionally Licensed: **169**

OUTCOME MEASURE #14 – TEACHER CREDENTIALS

Outcome Measure Defined:

- The type of academic credentials attained by each teacher and in what subjects.

Data Presentation:

TEACHING LICENSE HELD⁸

Division Superintendent	Collegiate Professional	Post-Graduate Professional	Technical Professional	Pupil Personnel Services	School Manager	Other
2	177	328	3	2	0	9

⁸ This does not include teachers who are provisionally licensed. Data on provisionally licensed teachers is reflected in Outcome Measure #13 above.

OTHER CREDENTIALS HELD

Board Certified Behavior Analyst (BCBA)	Registered Behavior Technician (RBT)
9	5

Subjects Reflected on Teacher Licenses	Number of Teachers
Special Education, K-12 (General Education/Adapted/Disability Specific)	378
Reading Specialist	5
Administration and Supervision, PreK-12	15
Elementary School Principal	1
Early/Primary Education, PreK-3(4)	10
Elementary, PreK-6 and Grades 4-7	48
Middle Education, Grades 4-8	3
Middle 6-8 English	6
Middle 6-8 Math	10
Middle 6-8 Science	7
Middle 6-8 History	7
High School English	16
High School Math	2
High School Science	10
High School History & Social Science	15
Algebra 1	5
Biology	4
Earth and Space Science	3
Psychology	1
Health and Physical Education	12
Barbering	1
Cosmetology	1
Culinary	3
Horticulture	1
Carpentry	1
Visual Arts, PreK-12	8
Agricultural Education	2
Technology Education	2
Computer Science	3
Family Consumer Science	2
Marketing Education	1
Business and Information Technology	1

**OUTCOME MEASURE #15 – CAREER AND TECHNICAL EDUCATION (CTE)
CREDENTIALS**

Outcome Measure Defined:

- The number of career and technical education credentials conferred by each school on its graduating students in each of the three prior academic years.

Data Presentation:

**Number of Career and Technical Education (CTE)
Credentials Conferred on Graduating Students**

School Year 2020-2021	School Year 2019-2020	School Year 2018-2019
96	81	97

OUTCOME MEASURE #16 – SCHOOL ACCREDITATION STATUS

Outcome Measure Defined:

- Each school's accreditation status, including the accrediting body.

Data Presentation:

Accreditation Status of Private Schools for Students with Disabilities

Status	Number of Schools	Percentage
Number of private schools for students with disabilities licensed by the Virginia Department of Education (VDOE)	116	Not Applicable
Number of schools that are fully accredited	75	64.7%
Number of schools that are not accredited	41	35.3%
Number of schools pending accreditation ⁹	12	10.3%
Number of schools not currently seeking accreditation ¹⁰	29	25.0%

⁹ These schools have applied for and are going through the accreditation process of their selected accrediting agency.

¹⁰ On March 18, 2021, Governor Northam signed [HB2238](#), as passed during the 2021 General Assembly session, which changes Section 22.1-323 of the *Code of Virginia* to state that all private schools for students with disabilities licensed by the Virginia Board of Education must also be accredited by an accrediting agency recognized by the Virginia Council for Private Education (VCPE). HB2238 also states that any private school for students with disabilities that is licensed to operate by the Board of Education as of July 1, 2021, shall obtain accreditation from an accrediting agency recognized by the Virginia Council for Private Education (VCPE) no later than July 1, 2024. As such, the schools that have indicated that they are not currently seeking accreditation have until July 1, 2024, to become accredited or will not have their then current license renewed.

ACCREDITING AGENCY¹¹

Agency Names	Number of Schools ¹²	Percentage
COGNIA™	22	19.1%
Virginia Association of Independent Schools (VAIS)	3	2.6%
Virginia Association of Independent Specialized Education Facilities (VAISEF)	68	58.6%
Southern Association of Independent Schools, Inc. (SAIS)	0	0.0%
Southern Association of Colleges and Schools (SACS)	0	0.0%
Comprehensive Application of Behavior Analysis to Schooling (CABAS)	0	0.0%
Commission on Accreditation of Rehabilitation Facilities (CARF)	2	1.7%
National Commission for the Accreditation of Special Education Services (NCASE)	0	0.0%
The Joint Commission (TJC)	2	1.7%

CLOSING SUMMARY

During this initial process of collecting required data for completion of this report, inconsistencies in the collection and reporting of the data elements to both the elements to the Virginia Department of Education (VDOE) and local educational agencies exist. The VDOE will provide guidance to the field regarding the accurate collection of data entered into the Student Records Collection (SRC). Areas of particular concern are noted in the reporting of attendance, graduation rates, and restraint and seclusion data.

The offices within the VDOE will continue to work collaboratively to identify the cause of the inconsistencies and to develop a more cohesive data collection methodology as well as guidance to the field regarding this topic.

¹¹ These are the accrediting agencies approved by the Virginia Council for Private Education (VCPE) for accrediting private schools within the Commonwealth.

¹² The total numbers identified here exceeds the number of accredited schools referenced above due to the fact that many of the private schools for students with disabilities seek and obtain accreditation from multiple agencies due to the types of services they deliver.