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Greetings Albemarle County Educators:

I want to make you aware of a recent Circuit Court decision that impacts student information in school divisions across the Commonwealth, including our own. The following is a message from the Virginia Superintendent of Instruction, Steve Staples, regarding the court decision described in this article: [Judge Rules Against VDOE, In Favor Of Loudoun Parent Seeking Student Progress Data](#).

Before you read on, I want to assure you that Albemarle County Public Schools has no plan to use Virginia Department of Education (VDOE) student growth data for teacher evaluation. **To use VDOE's own language, student growth scores have limited usefulness.** We have chosen to take a balanced approach to student assessment. Finally, our Teacher Performance Appraisal (TPA) is based on the premise that student growth can and should be assessed through multiple measures and a balanced assessment system that accurately reflects student learning of our *Lifelong-Learner Competencies*. When it comes to *Standard 7* of our TPA, we realize that student academic progress is a matter of continuous improvement, and the process toward this end is vital for professional growth as well as student results. **Narrowly focusing on a single measure is counter to this notion.**

Based on VDOE's growth score calculation methodology, we estimate that fewer than 20% of our teachers could possibly have student growth scores. These are teachers in grades 4-8 reading/language arts and grades 4-8 math/Algebra 1 (may include high school teachers). Other limiting factors are applied. The VDOE has provided [Answers to Frequently Asked Questions](#) regarding student growth percentiles.

This past January 9, in the case of Brian C. Davison v. Virginia Department of Education (VDOE), Richmond Circuit Court Judge Melvin R. Hughes ruled that the [Student Growth Percentile \(SGP\)](#) reports that VDOE provides to school divisions are not exempt as scholastic records under the Commonwealth's Freedom of Information Act (FOIA).

These reports include the first and last names and teacher license numbers of all teachers with students for whom an SGP was reported (unless there were fewer than 10 students in a tested section). Judge Hughes determined that SGP reports for all three available years (2013-2014, 2012-2013 and 2011-2012) must be provided to the plaintiff.

In complying with Judge Hughes' order, VDOE is protecting the privacy of students by replacing State Testing Identifiers with randomly generated student identification numbers and by redacting the following information:

- Student last name
- Student first name
- Date of birth
- Disability status
- Race/ethnicity
- LEP subgroup
- Gender
- All data for sections with fewer than ten students
- All data for transfer students and students attending full-time regional programs

As ordered by Judge Hughes, the VDOE is not redacting the names and teacher license numbers of teachers from the SGP reports. VDOE is providing the reports to Mr. Davison today (Tuesday, February 3). The department also is providing the reports to a Richmond resident who made a similar request under FOIA.

It is possible the release of these reports will lead to requests for SGP data from the news media. In responding to these requests, VDOE will emphasize the guidance provided to school divisions that use of SGP data in teacher evaluations is appropriate only if:

- Data from at least 40 students are available for multiple years;
- Data are from students representative of those taught by the teacher; and
- Data from at least two years are available with the use of data from three years whenever possible.

Because of limitations on the usefulness of Student Growth Percentiles, VDOE is planning on introducing the use of [progress tables as a growth measure](#) in the 2015-2016 school year.

Authorized school division personnel have access to SGP reports through a secure portal on the VDOE website. How the information is used and distributed within a division is decided locally. Please contact our Division Director of Testing, Bonnie Pendleton with questions regarding growth scores.

Thank You,

Matt Haas, Ed.D.
Assistant Superintendent

