



**VIRGINIA ALTERNATE ASSESSMENT PROGRAM (VAAP):  
REQUEST FOR EXCEPTION TO THE 1 PERCENT CAP FOR  
ADEQUATE YEARLY PROGRESS (AYP) FOR THE 2009 ADMINISTRATION**

NAME OF SCHOOL DIVISION <b>Richmond City Public Schools</b>	NAME OF DIVISION SUPERINTENDENT <b>Yvonne W. Brauden</b>
SUPERINTENDENT ADDRESS <b>301 N. 9th St., 17th Fl. Richmond, VA 23219</b>	SUPERINTENDENT PHONE NUMBER <b>804-790-7700</b>
SUPERINTENDENT E-MAIL ADDRESS <b>ybrauden@richmond.k12.va.us</b>	

Your division may complete this form to request an exception to the one percent cap on the projected number of proficient or advanced scores on the VAAP that may be included in AYP determinations. The one percent cap applies only at the division and state levels, not for individual schools.

- The proficient and advanced scores on the VAAP are projected to be more than one percent of fall membership in the grades tested; therefore, **our division is seeking an exception to the one percent cap.**

This total is expected to exceed the one percent cap for the following reasons: *(check all those that apply and provide complete explanations/data for each.)*

- Because our school division has a very small total student population a few students have a significant impact on the percentages. Your division must meet all of the following criteria:
- Fall Membership for the tested grades  $\leq$  1500 students
  - $<$  15 students in the VAAP
  - Division VAAP participation rate is  $<$  2%
- Please provide supporting data.*
- A special program or programs exist in our division that has drawn large numbers of students with the most significant cognitive disabilities. Examples include Intermediate Care Facilities or other licensed residential/day programs. Regional programs and State Operated Programs do not qualify under this exception. Please note this exception option does not apply to the quality of your special education programs. *Please attach an explanation and provide supporting data.*
- Our division has a disproportionately high number of foster care parents or adoptive parents of students with the most significant cognitive disabilities. *Please attach an explanation and provide supporting data.*

- A local military base includes our school division on their list of compassionate assignments, and a significant number of service members have children with significant cognitive disabilities who are enrolled in our school division. *Please attach an explanation and provide supporting data.*
- Our division has a unique demographic anomaly that has caused a higher number of students with significant cognitive disabilities. *Please attach an explanation and provide supporting data.*

**Please Note:** School divisions requesting an exception based upon demographic anomalies may be subject to an on-site review of policies, procedures, student record data, and other information.

I am requesting an exception to the one percent cap for students who participated in the VAAP.

*Yvonne W. Bowden, LLC*  
Superintendent

*2/2/09*  
Date

Please mail, fax or e-mail the completed form and attachments by February 2, 2009:

John Eisenberg - [John.Eisenberg@doe.virginia.gov](mailto:John.Eisenberg@doe.virginia.gov)  
Phone (804) 225-2711 Fax (804) 371-8796  
Virginia Department of Education  
Office of Special Education Instructional Services  
P.O. Box 2120 - Richmond, VA 23218-2120



## RICHMOND PUBLIC SCHOOLS

301 NORTH NINTH STREET RICHMOND, VA 23219-1927

YVONNE W. BRANDON, Ed D  
INTERIM SUPERINTENDENT

Telephone: (804) 780-8320

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e-mail: ybrandon@richmond.k12.va.us

January 30, 2009

Mr. John Eisenberg  
Division of Special Education and Student Services  
Virginia Department of Education  
PO Box 2120  
Richmond, Virginia 23218-2120

Dear Mr. Eisenberg:

This letter is to request an exception to the one percent cap for the number of proficient and advance proficient scores on the Virginia Alternate Assessment Program (VAAP) for Richmond Public Schools. Our division has a unique demographic that has caused a higher number of students with significant cognitive disabilities.

Based upon the 2008 triennial school census there are approximately 11,600 school age students that are not enrolled in Richmond Public Schools (RPS). This would make the number of students in RPS approximately 34,811 instead of the September 30, 2008 student membership of 23,200. RPS's special education December 1, 2008 child count is 4589. This equates to 19.7 % of RPS fall student membership while the state percentage is 13.6%. Richmond City percentage of students with disabilities would be 13.2% based upon the 2008 triennial school census while the state percentage of students with disabilities would be 11.1% based upon same census.

Additionally, students with disabilities tend to remain in RPS for their entire educational career and do not attend private schools or are home schooled thus inflating the percentage of students with disabilities in RPS. Based upon the 2008 triennial school census 18% of school age students in Virginia do not attend public schools while in Richmond that percentage is 33%. Additionally, 17% of the students in RPS's elementary schools have disabilities while 24% have disabilities at the secondary schools.

Using the September 30<sup>th</sup> fall membership and the December 1, 2008 child count, at the state level the percentage of students with disabilities that are in grades 3<sup>rd</sup>-8<sup>th</sup> and 11<sup>th</sup> is 13.2% while in RPS the percentage is 22%. Also, students with mental retardation, severe disabilities, multiple disabilities, and autism represent 3.9% of the RPS student population in grades 3<sup>rd</sup>-8<sup>th</sup> and 11<sup>th</sup> while at the state level it is only 1.9%. Students with significant cognitive disabilities are a part of this group of students.

Additionally, the percentage of RPS students in these testing grades, 3<sup>rd</sup> -8<sup>th</sup> and 11<sup>th</sup>, with mental retardation, severe disabilities and multiple disabilities is greater than the state's percentages. (Table below)

	RPS	State
Mental Retardation Multiple Disabilities Severe Disability	3.4	1.2

Thus our percentages of students with disabilities that includes students with significant cognitive disabilities is higher than the state percentages.

The table below shows that the number of VAAPs participants since 2006 has decreased by 57.3%. This has been done through staff development and working with schools to ensure that IEP teams are following the VDOE VAAP participation guidance document and are using the Learner Characteristics Inventories as a part of the IEP team decision making process.

	2006	2007	2008	2009
Autism	31	42	39	37
Orthopedic Impairment	2	2	0	0
Developmental Delay	4	10	12	3
Hearing Impairment	1	3	0	0
Speech Language Impairment	1	3	0	0
Traumatic Brain Injury	2	1	2	1
Mental Retardation	379	299	265	124
Multiple Disabilities	18	26	29	27
Severe Disability	15	14	15	10
Emotional Disturbance	9	2	0	1
Learning Disability	19	29	8	0
Other Health Impairment	23	23	21	11
Student With Disability	0	0	0	1
Totals	504	454	391	215

Finally, the table below identifies that projected number of students in the identified disabilities categories that will participate in the VAAP as compared to the number students in the identified disabilities categories that are in grades 3<sup>rd</sup> -8<sup>th</sup> and 11<sup>th</sup>. Those students not taking the VAAP in the identified disability categories will be participating in the state assessment system via the SOL and/or VGLA assessments.

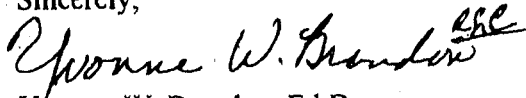
Disability Category	Projected Number of Students	Number of Students in Grades 3 <sup>rd</sup> -8 <sup>th</sup> and 11 <sup>th</sup>
Autism	37	59
Developmental Delay	12	51
Traumatic Brain Injury	1	10
Mental Retardation	125	312
Multiple Disabilities	27	59
Other Health Impairment	11	397

Richmond Public Schools is anticipating 215 students to participate in the VAAP which represents 1.9 % of RPS's students in grades 3<sup>rd</sup> -8<sup>th</sup> and 11<sup>th</sup> based upon the September 30<sup>th</sup> fall membership. Thus, RPS is requesting a waiver of the one percent cap because our division has a unique demographic that has resulted in a higher number of students with significant cognitive disabilities.

If you have any questions please contact Harley A. Tomey, III, Director of Exceptional Education and Student Services at 804-780-7911 or [htomey@richmond.k12.va.us](mailto:htomey@richmond.k12.va.us).

Thank you for considering this request.

Sincerely,

  
 Yvonne W. Brandon, Ed.D.  
 Superintendent

Cc Harley A. Tomey, III

April 9, 2009

Dr. Yvonne W. Brandon  
Division Superintendent  
Richmond City Schools  
301 North Ninth Street, 17<sup>th</sup> Floor  
Richmond, Virginia 23219-1927

Dear Dr. Brandon:

The purpose of this letter is to notify you that the Virginia Department of Education has denied your request for an exception to the one percent cap for the 2008-2009 Virginia Alternate Assessment Program (VAAP). A three member review team examined your division's supporting documentation and determined that the data did not meet the conditions set forth in the SUPTS. MEMO NO. 47 dated December 19, 2008. Please see the exception review sheet attached that outlines any comments by reviewers.

Please note that the numbers of your proficient VAAP scores exceeding your division's one percent cap must be reassigned from proficient to failing for the purposes of calculating adequate yearly progress (AYP). Additional directions on the reassignment process will be forthcoming once VAAP audits are completed. VAAP audits are projected to be completed by the end of July. The reassignment process is done through the Single Sign-on for Web Systems (SSWS) under the application: Reassignment of VAAP Scores. This reassignment needs to be completed by August 7, 2009. Your division's preliminary AYP results will not be available until after the reassignment process is complete. Please contact John Eisenberg at (804) 225-2711 or by e-mail at [john.eisenberg@doe.virginia.gov](mailto:john.eisenberg@doe.virginia.gov) with any additional questions.

Sincerely,

Patricia I. Wright

PIW/JE