



## Examples of State Remediation Policies

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### Introduction

Remediation policies in the states take many forms, and states frequently have multiple policies that address student remediation. It is common, for example, for a state to spell out in its accountability or assessment policies what actions are to be taken to bring students up to proficient levels. States that have such policies also may have others that are targeted toward specific areas of need such as early learning, literacy or preparation for high school exit exams.

This document is intended to provide examples of various remediation policies used throughout the United States to provide policymakers with an idea of what policies are being implemented in other states. It is not intended to be a comprehensive list of remediation policies, nor is it intended to make comparisons as to the quality of one state's remediation policies versus another's.

This document is separated into six sections, with examples of remediation policies given in the following areas:

- (1) General policies
- (2) Early learning
- (3) High school
- (4) Targeted at specific districts in a state
- (5) Homeschooled students
- (6) Postsecondary.

These examples of policies are followed by policy considerations for those designing new remediation policies.

Links to statutory language are provided where available, although if a policy has been recently amended those changes may not be reflected. Corrections to listed policies are welcome.

### General Policies

These are wide-ranging policies, aligned with state assessment and accountability systems, and therefore cover a number of grades and subjects. States may operate general policies while still employing other policies that are targeted to meet more specific needs. Examples of states that have general remediation policies include Louisiana, Pennsylvania and Washington.

#### Louisiana

[LA. REV. STAT. ANN. § 17:394 - LA. REV. STAT. ANN. § 17:401](#)

Louisiana's Remedial Education Act provides supplemental funds for the delivery of supplemental remedial instruction for students. The policy directs all parish and city school systems to implement a system of remedial education consistent with regulations adopted and approved in accordance with [LA. REV. STAT. ANN. § 17:24.4](#), which describes Louisiana's competency-based education and educational assessment programs. A requirement of LA. REV. STAT. ANN. § 17:24.4 is that parish and city school boards develop pupil-progression plans, which are to be comprehensive plans based on

student performance as measured by the competency-based education program. Pupil-progression plans must require mastery of grade-appropriate skills before the student can be recommended for promotion.

Instruction in state-funded remediation is based on student deficits identified through the state's testing program in English language arts and mathematics. To be eligible to receive funds under this program, a school board must submit a proposal describing its proposed remedial system. The description must include all remedial instruction and proposals for program improvement, as well as a narrative incorporating: (1) a statement of the educational objectives and how they are determined; (2) the student population to be served and the selection criteria to be used; (3) the methodologies to be used in meeting the educational problems; (4) a description of the course content to be taught; (5) a detailed budget, including excess costs above regular programs; and (6) an evaluation plan encompassing both the educational process and the extent of growth and achievement evidenced by pupils.

Programs must be based on performance objectives related to educational achievement in grade-appropriate skills, provide supplementary services designed to meet the educational needs of each participating student and be coordinated with locally or federally funded – or both – remedial education programs, but remain as a separate program to be funded by the state.

In addition to bringing students up to grade-appropriate skill levels, the act gives students a sense of success and prevents their alienation and early departure from school. The policy also addresses students intending to attend college after graduation who have demonstrated insufficient academic achievement to successfully undertake college work.

## **Pennsylvania**

PA. STAT. ANN. § 15-1512-C

Pennsylvania's Educational Assistance Program provides for the support of tutoring services for students who have scored below proficient on the Pennsylvania System of School Assessment (PSSA) or other assessments identified by the state department of education (DOE). The PSSA is administered to students in 3rd through 12th grades in subjects required under the No Child Left Behind (NCLB) Act, and the state DOE is to determine other assessments used for students in K-3rd grade. "School entities" with one or more schools that have failed to meet at least one academic performance target also are eligible. (A school entity is a school district, joint school district, area vocational-technical school or independent school.)

School entities are required to annually notify the parents of eligible students of the availability of tutoring services under this policy and are to provide a list of all approved providers operating within the boundaries of or around the school entity. Upon request of a student's parents, school entities are required to assist the parents in selecting a provider. School entities are required to either directly offer tutoring services to eligible students or enter into a contract with a provider approved under PA. STAT. ANN. § 1505-C to provide tutoring services.

Tutoring services must include intensive instruction in subjects assessed through the PSSA and required under NCLB. Services may be provided outside of normal school days and hours, including mornings, evenings, weekends and during the summer. Services may take place on an individual or small group basis, although class sizes are limited to 10 students during the regular school term and 15 during the summer.

The state DOE is required to provide school entities with technical assistance upon request and to annually assess any provider or school entity that provides tutoring services under this policy to determine the academic progress of students receiving services.

## **Washington**

[WASH. REV. CODE § 28A.165](#)

Washington's Learning Assistance Program is intended to: (1) promote the use of assessments when developing programs for assisting underachieving students; and (2) guide districts in providing the most effective and efficient practices when implementing these programs. To participate and receive state funds, a district must submit a plan to the office of the superintendent of public instruction by July 1st of each year. Plans must meet all the requirements detailed in [WASH. REV. CODE § 28A.165.025](#).

Students are identified as in need of remediation through the use of one or more of the basic-skills assessments – reading, writing and mathematics – administered as part of Washington's student assessment system, and assessments administered by local school districts. The policy currently defines eligible participating students as K-11th graders who score below grade level on statewide assessments and who are identified in the approved plan to receive services.

(Beginning with the 2007-08 school year, 12th grade will be added.) Underachieving students are those with the greatest academic deficits, as determined through statewide assessments.

Services and activities that may be supported by the learning assistance program are:

- (1) Extended learning-time opportunities, which may occur: (a) before or after school; (b) on Saturday; and (c) beyond the regular school year
- (2) Professional development for certified and classified staff that focus on: (a) the needs of a diverse population; (b) specific literacy and mathematics content and instructional strategies; and (c) the use of student work to guide effective instruction
- (3) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students
- (4) Tutoring support for participating students
- (5) Outreach activities and support for parents of participating students.

The policy directs the superintendent of public instruction to monitor approved programs at least once every four years to ensure they are meeting the requirements of the policy, to assist in this, districts are to maintain individual student records.

**Table 1: General Policy Comparison**

	Louisiana	Pennsylvania	Washington
<b>Offering of remediation</b>	Required	Required	Voluntary
<b>Students identified</b>	Students not meeting the performance standards defined by the state department of education.	Students not demonstrating academic proficiency on assessments mandated by state and federal law.	Students who score below grade level on statewide assessments and who are identified in the approved plan to receive services.
<b>Assessments used</b>	State assessments	Assessments mandated by state and federal law. The Pennsylvania System of School Assessment test is administered in subjects and at grade levels required by No Child Left Behind. The department of education determines what other assessments may be used to identify students in grades K-3.	One or more of the basic-skills assessments administered as part of Washington's student assessment system, and assessments in the basic-skills areas administered by local school districts.
<b>Grades</b>	At least 3rd, 4th, 7th and 8th grades and at the high school level.	K-12	K-11, with 12th grade to be added beginning with the 2007-08 school year.
<b>Services</b>	Remedial and supplemental instruction	Tutoring, which includes intensive instruction and small class sizes or individual instruction.	(1) Extended learning-time opportunities; (2) professional development for certificated and classified staff; (3) consultant teachers to assist in implementing effective instructional practices by teachers serving participating students; (4) tutoring support for participating students; and (5) outreach activities and support for parents of participating students.
<b>Subjects</b>	English language arts and mathematics	To comply with No Child Left Behind, grades 3-8 and at least one grade between 10th	Basic-skills areas: reading, writing and mathematics

		and 12th grade are required to be tested in reading and mathematics. Starting in the 2007-08 school year, it will be required to administer a science assessment at least once during the following grade spans: 3-5, 6-9 and 10-12.	
<b>Funding</b>	Appropriated as a line item within the general appropriations bill to the state department. The state department of education distributes funds to parish and city school boards on a per-pupil per-subject area basis to be used solely for remediation purposes.	State allocates funds according to a formula.	Participating districts must submit plans to the superintendent of public instruction to receive funding. Plans must address all the elements in <a href="#">WASH. REV. CODE § 28A.165.025</a> and specify which services are to be implemented.
<b>Required for promotion/graduation</b>	Locally adopted pupil progression plans must require mastery of grade-appropriate skills before the student can be recommended for promotion.	Does not specify.	Does not specify.

## Early Learning Remediation Policies

### *Literacy Remediation*

Research indicates that achieving literacy early in elementary school is crucial in ensuring a student's future success. Once learning to *read* is accomplished in the early years, students more easily transition to reading to *learn* in other subject areas such as math, science or social studies. Consequently, students who are not proficient readers by the end of 3rd grade typically have difficulties throughout the course of their schooling, perform poorly in other subjects and may never graduate. In response to this reality, many states have implemented programs designed to ensure their students have proficient levels of literacy. Two states that operate such policies are Minnesota and Wyoming.

#### **Minnesota**

[MINN. STAT. ANN. § 120B.12](#)

Each district is required to identify – prior to the end of 1st grade – students at risk of not learning to read before the end of 2nd grade. This is to be accomplished through the use of locally adopted assessment methods. Although the assessments are to be locally adopted, the state commissioner of education is directed to recommend multiple assessment tools to assist districts and teachers in identifying these at-risk students, and to make available to districts examples of nationally recognized and research-based instructional methods or programs that districts may use to provide reading interventions.

Intervention methods are required to encourage parental involvement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school and intensified reading instruction that may require the student be removed from the regular classroom for part of the school day.

#### **Wyoming**

[WYO. STAT. § 21-3-401](#)

This policy directs each school district to design and implement a reading-screening program – aligned with the statewide educational program standards – that measures student progress in 1st and 2nd grade. Students determined to have reading deficiencies will be assessed to identify the specific reading problem and determine its nature. Students not

showing appropriate reading competence are placed on an individualized reading plan to remedy the reading-related difficulty using an appropriate research-based intervention program.

Districts are to annually report to the state department of education on the progress toward reaching the goal of 85% of identified students being reading proficient. The report is to include longitudinal data on all students in 1st through 4th grades identified for intervention. If the goal is not reached, the district is directed to report the reason the goal was not reached and the steps being taken to solve the problem. (This policy does not apply to students under an individualized education program that addresses reading difficulties.)

**Table 2: Early Learning Literacy Comparison**

	Minnesota	Wyoming
<b>Offering of remediation</b>	Required	Required
<b>Students identified</b>	Students in danger of not learning to read by the end of 2nd grade.	Students determined to have reading deficiencies.
<b>Assessments used</b>	Locally adopted assessments	District-developed reading-screening programs
<b>Grades</b>	1-2	1-4
<b>Services</b>	May include – but are not limited to – requiring attendance in summer school and intensified reading instruction that may require the student be removed from the regular classroom for part of the school day.	Research-based intervention programs
<b>Subjects</b>	Reading	Reading
<b>Funding</b>	Does not specify.	Provided by the state according to a funding formula through the school foundation program ( <a href="#">WYO. STAT. § 21-13-333</a> ).
<b>Required for promotion/graduation</b>	Does not specify, although the district may require participation.	Does not specify.

### **General Early Learning Remediation**

While ensuring a child is reading at grade level is crucial, it also is important to make sure students are not falling behind in other academic subjects. A number of states have instituted policies at the elementary level that attempt to identify and remediate deficiencies in multiple subject areas. Two states that have implemented such a policy are West Virginia and Wisconsin. (It is important to note a listed state with a policy seeking to remediate in multiple subjects also may have a policy specifically targeted toward early literacy. For example, although West Virginia is listed below as having a policy addressing several subject areas, the state also operates a grant program that is specifically targeted toward early literacy [W. VA. CODE § 18-2E-3C](#).)

#### **West Virginia**

[W. VA. CODE § 18-2E-3F](#)

The West Virginia Legislature recognized in this 2004 policy that mastery of the basic skills of reading, mathematics and English language arts is the foundation for all further learning, and that deficiencies in these skills that persist beyond the early childhood years become more difficult to overcome. This policy also states that intensive instruction, early detection and intervention to correct student deficiencies in basic skills are more effective in improving student performance than alternatives, which include grade retention, social promotion and referral for special services.

State law requires the state board to adopt rules to ensure reading, mathematics and English language arts are the only subjects required to be taught daily in kindergarten through 2nd grade, and instruction in other subjects is to be oriented to reinforce instruction in them.

State law also requires the board to adopt rules determining strategies for both the early identification and intervention to correct student deficiencies in the identified subjects. These strategies are to be implemented throughout the instructional term at each of the early childhood grades, and are to allow flexibility in student schedules to provide additional time and instruction for students who are below mastery in these subjects in 3rd and 4th grade.

## Wisconsin

[WIS. STAT. ANN. § 115.45](#)

This policy establishes a preschool through 5th-grade grant program. A school board may decide to submit an application for funds to the state superintendent, or it may apply upon receipt of an application from one of its elementary school principals. Grants may be used to fund programs within the public schools or be used to fund remediation through the use of private service providers.

Approved programs are required to provide a structured educational experience for 4-year-olds that focus on the needs of low-income students and encourage early skills development. Students in 1st through 5th grades are to be tested annually in reading, language arts and mathematics using tests approved by the department of education. Schools or service providers are required to implement a multidisciplinary team approach to the identification and remediation of problems of students with significant needs.

Priority for the awarding of grants is given to: (1) programs that were in existence on August 9, 1989, that have proven successful; (2) programs established in school districts with a high number of dropouts and low-income students; and (3) programs that were in existence on July 1, 1991. Amounts awarded under this policy are to be awarded on the basis of improvement in academic performance.

**Table 3: General Early Learning Comparison**

	West Virginia	Wisconsin
<b>Offering of remediation</b>	Required	Voluntary
<b>Students identified</b>	Children participating in early childhood education programs who demonstrate academic deficiencies.	Students with significant needs, identified through the use of a "multidisciplinary team approach."
<b>Assessments used</b>	Statewide assessments as well as other strategies determined by the state board of education.	Although the policy does not specify which assessment must be used, the state department of education must approve the assessment.
<b>Grades</b>	K-4	P-5
<b>Services</b>	Does not specify.	A multidisciplinary team approach for remediation.
<b>Subjects</b>	Reading, mathematics and English language arts	Reading, language arts and mathematics
<b>Funding</b>	Does not specify.	Grants awarded by the state superintendent.
<b>Required for promotion/graduation</b>	This policy states that early intervention is a more effective practice than either grade retention or social promotion.	Does not specify.

## High School

High school is a hot topic in education policy circles today. Policymakers are striving to create policies that increase graduation rates, help students meet graduation requirements and prepare them for success at the postsecondary level. With the widespread development of high school exit exams, there is a growing need to offer remediation to those high school students who have met all other requirements for graduation, except for passage of the high school exit exam. Three states that operate policies directed at high school students are Arizona, South Carolina and Utah.

### Arizona

[ARIZ. REV. STAT. ANN. § 15-809](#)

This policy directs the state department of education to establish an Arizona Instrument to Measure Standards (AIMS) intervention and dropout prevention program. (Starting with the 2005-06 school year, AIMS will serve as Arizona's high school exam.) The department of education is responsible for developing application procedures, selection criteria and minimum performance standards for service providers that wish to participate in the program. Eligible service providers



are either public agencies – including schools and school districts – or private entities certified by the department of education that have demonstrated documented success in delivering dropout prevention services.

The program is directed toward those high school students who are most likely to drop out of high school and who have documented academic, personal or vocational barriers to success in high school and the workplace. One of the required components is each student receive at least nine consecutive months of academic support, which includes tutoring and remediation to ensure the student meets the state's academic standards. Students also participate in the program for 12 months after graduation from high school, during which time the service provider provides follow-up assistance designed to assist the student's transition to postsecondary education, vocational or job training, military service or employment.

**Utah**

[UTAH CODE ANN. § 53A-13-104](#)

This policy directs local school boards to implement remediation programs to ensure students attain the competency levels and meet the graduation requirements established by the state board of education. (Although not mentioned in this policy, one requirement established in state law for receipt of a basic diploma is the passage of the basic-skills competency test described in [UTAH CODE ANN. § 53A-1-611](#).) Programs are to be implemented in English, mathematics, science and social studies, and participation is mandatory for identified students. Students are identified through classroom performance.

Successful completion of remediation is required for promotion, although local school boards may allow students in need of remediation to be promoted if they are otherwise scheduled to enter 9th grade. Completion of remediation must then take place at the high school. The policy requires that programs should not be unnecessarily lengthy or repetitive and a student does not need to repeat an entire class if remediation can reasonably be achieved through other means.

Although funding is not addressed in this policy, it does authorize local school boards to charge students a fee to participate in remediation programs.

**Virginia**

[Project Graduation](#),<sup>1</sup> launched by Virginia Governor Mark Warner, provides additional opportunities for students to earn the verified units of credit required to receive a high school diploma.

Starting for students entering 9th grade in 2003-04 and beyond, in addition to passing each course, students must pass an end-of-course Standard of Learning (SOL) test to earn verified units of credit that count toward a standard diploma. Students must pass two SOL tests in English and one each in mathematics, science, history and social science, and one student-selected test. (A transition plan is in place for students who entered high school before the 2003-04 school year, and different requirements are in place for transfer students.)

The department of education operates a Project Graduation Web site with sections dedicated to students and parents, as well as educators and school counselors. The site offers links to Princeton Review online [tutorials](#) in English/reading and Algebra I. A post-tutorial readiness assessment determines if a student is ready for SOL retesting or whether additional online instruction is necessary. Also available is an electronic Practice Assessment Tool ([ePAT](#)) that allows students to take practice tests and links to previously administered [released SOL](#) tests.

**Table 4: High School Comparison**

	Arizona	Utah	Virginia
<b>Offering of remediation</b>	Voluntary	Required	Does not specify.
<b>Students identified</b>	High school students who are most likely to drop out of high school without graduating and who have documented academic, personal or vocational barriers to success in high school and the workplace.	Students who do not meet competency levels, as determined by classroom performance.	Students who fail to pass an end-of-course Standards of Learning (SOL) test.
<b>Assessments used</b>	Arizona Instrument to Measure Standards (AIMS)	Does not specify.	SOL tests or other tests approved by the state

			board. The department currently maintains a list of <a href="#">substitute tests</a> for verified credit.
<b>Grades</b>	9-12	7-12	9-12
<b>Services</b>	At least nine consecutive months of academic support, which includes tutoring and remediation to ensure the student meets the state's academic standards. Follow-up assistance designed to assist the student's transition to postsecondary education, vocational or job training, military service or employment is provided for 12 months after the student's graduation.	Does not specify.	Online <a href="#">tutorials</a> , <a href="#">practice assessments</a> and previously administered and <a href="#">released SOL</a> tests.
<b>Subjects</b>	At least reading, writing and mathematics; also may include science and social studies at the discretion of the state board.	English, mathematics, science and social studies	English/reading, math and science
<b>Funding</b>	The state department of education contracts with service providers.	Does not specify, although districts are authorized to charge students for remediation services.	Does not specify.
<b>Required for promotion/graduation</b>	Required	Required	Does not specify.

## Targeted at Districts

Some states have implemented remediation policies that seek to eliminate academic deficiencies in entire districts. These districts are identified for reasons ranging from student performance on assessments, the district not making adequate yearly progress, the size of the district's population or measures of poverty within the population. Two states that have remediation policies targeted at specific school districts are Connecticut and Massachusetts.

### Connecticut

[CONN. GEN. STAT. § 10-265g](#)

This policy pertains to priority school districts, which are those located in the eight largest towns in the state in addition to the 11 towns identified with each of the greatest number and ratio of children served by the temporary family assistance program ([CONN. GEN. STAT. § 10-266p](#)).

The policy requires districts to offer a summer reading program for kindergarten students identified by their teachers as needing additional reading and reading-readiness instruction. Districts also are directed to evaluate the reading level of students in 1st through 3rd grades. Students that are identified as substantially deficient based on the middle-of-the-year and end-of-year evaluation are to be offered a personal reading plan that includes measures to improve the student's reading level such as tutoring, a transitional class or a summer reading program. Personal reading plans are to conform to [CONN. GEN. STAT. § 10-221i](#), which requires further remediation for students who fail to meet statewide standards on the 4th- and 6th-grade mastery examinations.

Grade promotion is contingent on the student's documented progress in achieving the goals of the personal reading plan or demonstrated proficiency. If a decision is made to promote a student who is substantially deficient in reading from 3rd to 4th grade, the school principal is required to provide written justification to the superintendent of schools.

### Massachusetts

[MASS. GEN. LAWS ANN. CH. 69, § 1i](#)



This policy directs each school district in which more than 20% of the students score below level two on the Massachusetts Comprehensive Assessment System (MCAS) exam, to submit an MCAS success plan to the state department of education (DOE). The plan must describe the school district's strategies for helping each student to master the skills, competencies and knowledge required for the competency determination described in [MASS. GEN. LAWS ANN. CH. 69 § 1D\(i\)](#). Demonstrating this competency determination is required for a student to graduate from high school.

The DOE determines the elements that will be required to be included in a plan, which may include – but are not limited to – (1) a plan to assess each student's strengths, weaknesses and needs; (2) a plan to use summer school, after school and other additional support to provide each child with the assistance needed; and (3) a plan for involving the parents of students. The DOE must examine each district's plan and determine if it has a reasonable prospect of significantly reducing the school district's failure rates. The department of education is directed to coordinate oversight of the MCAS success plans with existing audit and oversight functions and with the MCAS grant program.

**Table 5: Targeted Policies Comparison**

	Connecticut	Massachusetts
<b>Offering of remediation</b>	Required	Required
<b>Students identified</b>	Priority school district kindergarteners identified as needing additional reading and reading-readiness instruction, and students in 1st to 3rd grades identified as substantially deficient in reading.	Students in districts where more than 20% of students score below level two on the MCAS.
<b>Assessments used</b>	Does not specify.	MCAS
<b>Grades</b>	K-3	10-12
<b>Services</b>	For kindergarten students, a summer reading program, for all other identified students, a personal reading plan that includes measures to improve the student's reading level such as tutoring, a transitional class or a summer reading program.	May include – but are not limited to – (1) a plan to assess each student's strengths, weaknesses and needs; (2) a plan to use summer school, after school and other additional support to provide each child with the assistance needed; and (3) a plan for involving the parents of identified students.
<b>Subjects</b>	Reading	Mathematics, science and technology, history and social science, English and foreign languages
<b>Funding</b>	Districts submit plans for grants described in the “early reading success grant program,” ( <a href="#">CONN. GEN. STAT. § 10-265F</a> ).	Does not specify.
<b>Required for promotion/graduation</b>	Promotion is contingent on documented progress in achieving the goals of the personal reading plan or demonstrated proficiency.	Graduation

## Homeschool Remediation

It is estimated there are over [1 million](#)<sup>2</sup> homeschooled students in the United States. For a number of reasons, some states exert very little regulation over homeschooling, while other states impose stricter regulations such as including homeschooled children in their statewide testing programs. Two states that have remediation policies specifically addressing identified learning deficiencies of homeschooled children are Tennessee and West Virginia.

### Tennessee

[TENN. CODE ANN. § 49-6-3050](#)

This policy pertains to homeschooled students who fall behind their appropriate grade level in reading, language arts, mathematics or science. Students are identified through the use of the same state standardized test required of public school students in 5th, 7th and 9th grades. (The test for 9th grade is not the high school proficiency test required by [Tenn. Code Ann. § 49-6-6001](#).)

Students may take the test without charge in a public school, or they may have the test administered by a professional testing service at the expense of the parent-teacher. Students taking a test in a public school have the test administered in the public school they would otherwise attend, or at whatever location students at that school are normally tested. Tests administered by a professional testing service must be administered within 30 days of the date of the statewide test. All test results must be provided to the parent-teacher, the director of schools and the state board of education.

If a student is six to nine months behind appropriate grade level, the parent is required to consult with a teacher licensed by the state board of education and having a certificate or endorsement in the appropriate grade, course or subject matter. Through consultation, the parent and teacher will then design a remedial course to help increase the child's achievement to the appropriate grade level. The parent is required to report the remedial course to the local director of schools. If a test indicates that a student is one year or more behind appropriate grade level, the same test must be administered to the child no more than one year later. If a student falls more than one year behind appropriate grade level on the comprehensive test score for two consecutive tests – and if the child is not learning disabled – the local director of schools may require the parents to enroll the child in a public, private or church-related school.

**West Virginia**

[W. VA. CODE § 18-8-1](#)

This policy applies to homeschooled children between the state's compulsory entrance age (West Virginia's compulsory entrance age is currently [six](#)<sup>3)</sup> and 16 years old.

On or before the 30th day of June of each year, individuals providing home instruction to a child are required to obtain an academic assessment of the child for the previous school year and submit the results to the county superintendent. Academic assessments include (1) nationally normed standardized tests; (2) the testing program currently at use in West Virginia's public schools; (3) providing the county superintendent with a written narrative indicating a portfolio of the student's work has been reviewed; or (4) an alternative academic assessment of proficiency agreed upon by the parent or guardian of the student and the county superintendent. Academic assessments taking place outside of a public school are administered at the expense of the parent or legal guardian.

When the annual assessment fails to show acceptable progress, individuals providing home instruction are directed to initiate a remedial program to foster acceptable progress and the county board must notify the parents or legal guardian of the child – in writing – of the services available to assist in the assessment of the child's eligibility for special education services. The identification of a disability does not preclude the continuation of homeschooling. (This policy directs the state board to develop guidelines for the homeschooling of special education students, including alternative assessment measures to ensure satisfactory academic progress is achieved.)

If a child does not achieve acceptable progress for a second consecutive year, individuals providing instruction must submit to the county superintendent additional evidence that appropriate instruction is being provided. Subject to their availability, the county superintendent or a designee is required to offer assistance – including textbooks, other teaching materials and available resources – that may assist individuals providing home instruction. Any child receiving home instruction may – upon approval of the county board – attend any class offered by the county board that the individual providing home instruction considers appropriate, subject to normal registration and attendance requirements.

**Table 6: Homeschool Remediation Comparison**

	Tennessee	West Virginia
<b>Offering of remediation</b>	Required	Required
<b>Students identified</b>	Homeschooled students who have fallen behind their appropriate grade level.	Homeschooled students who are failing to make adequate academic progress.
<b>Assessments used</b>	State standardized test required of public school students.	"Academic assessments," which include: (1) nationally normed standardized tests; (2) the testing program currently at use in West Virginia's public schools; (3) a written narrative indicating that a portfolio of the student's work has been reviewed; or (4) an alternative academic assessment agreed upon by the parent or guardian of the student and the county superintendent.

<b>Grades</b>	5, 7 and 9	Does not specify.
<b>Services</b>	Remedial course designed through consultation with the parent-teacher and a licensed and certified teacher.	A remedial program. Subject to their availability, textbooks, other teaching materials and available resources that may assist in home instruction. Students also may – upon approval of the county board – attend any class offered by the county board subject to normal registration and attendance requirements.
<b>Subjects</b>	Reading, language arts, mathematics and science	Reading, language, mathematics, science and social studies
<b>Funding</b>	Does not specify for remediation. State tests administered in public schools are free of charge; those administered by a professional testing service are at the expense of the parent-teacher.	Does not specify for remediation. The costs of assessments administered outside of a public school are the responsibility of the parent.
<b>Required for promotion/graduation</b>	Does not specify.	Does not specify.

## Postsecondary

Recent [research](#)<sup>4</sup> indicates that 28% of entering freshmen enrolled in at least one remedial reading, writing or mathematics course. This incurs additional financial costs on the unprepared student, the institution required to provide remediation and the state that may have to fund such remediation. Some states have instituted polices designed to address remediation needs proactively, before a student graduates from high school or at the postsecondary level for high school graduates. New York and Kentucky are two states that operate such programs. (Readers more interested in postsecondary remediation may wish to visit the ECS issue site on [postsecondary remediation](#).)

### Kentucky

[KY. REV. STAT § 158.803](#)

The Kentucky Early Mathematics Testing Program was created to lower the number of Kentucky high school graduates requiring remediation upon enrollment in a postsecondary institution. Through the use of a Web-site-based testing system, the program aims to inform primarily high school sophomores and juniors about their skill level in mathematics compared to standards required for community college-, technical college- and university-level math courses. Identifying deficiencies permits students to address them while they are still in high school.

Participation in the program is voluntary and a postsecondary education institution may not use test scores during the admissions process. Students may specify that up to three participating postsecondary institutions be sent information regarding their performance, and the policy encourages the chair of the mathematics department or the academic dean of each identified institution to send a personalized letter to students either: (1) encouraging them to take additional high school mathematics courses to address identified deficiencies; or (2) congratulating them for doing well on the test and encouraging continued study in mathematics.

The public university that conducts the testing program is required to submit an annual report to the state board of education and the council on postsecondary education regarding its activities and the effects the program has had on levels of remediation required by participating students.

### New York

[N.Y. EDUC. LAW § 6451 + N.Y. EDUC. LAW § 6452](#)

New York's Opportunity for Higher Education is intended in part to assist students who: (1) have graduated from an approved high school in the state or who have attained a high school equivalency diploma; (2) have potential for the successful completion of a postsecondary program; and (3) are economically and educationally disadvantaged, as defined by the regents.

N.Y. EDUC. LAW § 6451 pertains to funds distributed to approved nonpublic institutions of higher education. The policy allows the commissioner of education to enter into contracts with these institutions to support special programs for the screening, testing, counseling, tutoring and assistance of those students identified above. N.Y. EDUC. LAW § 6452 directs both the City University of New York and the State University of New York to create the same special programs.

Included in the services that may be funded under each policy are: (1) remedial courses, developmental or compensatory courses and summer classes; (2) special tutoring, counseling and guidance services; and (3) any necessary supplemental financial assistance, which may include the cost of books and necessary maintenance for the student. (Supplemental financial assistance may only be provided according to criteria disseminated by the commissioner with the approval of the director of the budget.)

**Table 7: Postsecondary Remediation Comparison**

	Kentucky	New York
<b>Offering of remediation</b>	Does not specify.	Voluntary for nonpublic institutions, required for the City University of New York and the State University of New York.
<b>Students identified</b>	Students voluntarily participating in the state's mathematics testing program.	Students who have graduated from an approved New York high school.
<b>Assessments used</b>	A Web-site-based testing program developed by a public university.	Does not specify.
<b>Grades</b>	Primarily 10 and 11	Postsecondary
<b>Services</b>	Does not specify services. The policy is designed to allow students the opportunity to take classes to address their deficiency while still in high school.	Remedial courses, developmental or compensatory courses, summer classes, special tutoring, counseling and guidance services.
<b>Subjects</b>	Mathematics	Does not specify.
<b>Funding</b>	Appropriated by the general assembly.	Provided by the state.
<b>Required for promotion/graduation</b>	Does not specify.	Does not specify.

## Policy Considerations

As demonstrated even in this short document, there is great diversity in remediation policies throughout the states, with policies of varying scope and type. These policies have multiple components, and the differing needs of the states mean that policies crafted with local considerations in mind may look quite different than policies implemented in other states. Listed below are some common components of existing remediation policies that policymakers may want to think about while designing new policies to best fit the needs of their state's children.

**Offering of remediation** – Will the new policy require a school, district or the state to offer remediation to identified students? Options may include: (1) requiring a district, school or the state to offer remediation; or (2) establishing voluntary programs that districts or schools may choose to participate in.

**Students identified** – Who is identified in the new policy as eligible for or in need of remediation? What group of students is this new policy intended to help? Options may include: (1) targeting policies toward any student not academically proficient in a number of subjects or grades; (2) targeting policies toward students in specific districts or schools; or (3) identifying students by academic performance at specific grade levels or subject areas throughout the state.

**Assessments used** – In what manner are students identified? Options may include: (1) allowing local districts to determine eligible students through the use of local assessments or evaluations; (2) identifying students through use of state or national assessments; or (3) using a combination of approaches.

**Grades** – At which grades will the policy be targeted? Options may include: (1) targeting policies toward specific grades or grade spans; or (2) creating expansive policies that cover multiple grades or grade spans.

**Services** – Does the policy mandate what services are offered to students? Options may include: (1) requiring that research- or scientifically-based approaches be used in remediation; (2) listing in the policy other required services to be

offered; (3) directing the state board of education to determine appropriate services; or (4) allowing the local district to decide appropriate services.

**Subjects** – Will the policy be targeted toward specific subject areas, and if so, what subjects will the policy address? Options may include: (1) targeting policies at specific subject areas such as early literacy; or (2) encompassing a number of academic subjects such as reading, mathematics and science.

**Funding** – How is the policy funded? Options may include: (1) fully funding programs through appropriations or automatic (not competitive) grants targeted at the lowest-performing schools or lowest-performing students; (2) requiring local districts to fund the programs; (3) using federal funds (for example, as part of its school improvement plans described in ALASKA ADMIN. CODE TIT. 4 § 06.845, Alaska directs schools to set aside at least 10% of their Title I funds to provide for professional development that addresses the academic performance problem that resulted in the school's designation as not making adequate yearly progress); (4) or using a combination of all the above. Another option is to consider requiring schools or districts report results and make future funding contingent on achieving a certain level of achievement.

**Required for promotion or graduation** – Will participation in remediation under this policy be required for a student to either graduate high school or be promoted to the next grade level? Options may include: (1) establishing voluntary programs for students; (2) allowing districts to require participation; or (3) requiring student participation.

## Primary Source

State statutory collections.

## Other Sources

<sup>1</sup> Virginia Department of Education Web site, <http://www.pen.k12.va.us/2plus4in2004/>, accessed August 17, 2005.

<sup>2</sup> National Center for Education Statistics, [1.1 Million Homeschooled Students in the United States in 2003](#), July 2004.

<sup>3</sup> Education Commission of the States, [Compulsory School Age Requirements](#), May 2004.

<sup>4</sup> National Center for Education Statistics, [Remedial Education at Degree-Granting Postsecondary Institutions in Fall 2000](#), 2003.

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