

Report to the Governor and the General Assembly of Virginia

# Operations and Performance of the Virginia Department of Education

2020



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# Summary: Operations and Performance of the Virginia Department of Education

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## WHAT WE FOUND

### School divisions generally view VDOE positively and note recent improvements

School divisions and education stakeholder groups generally praised VDOE staff. Nearly all school divisions view VDOE staff as professional and report they are satisfied with their division’s relationship with VDOE, according to a survey of school divisions. Most divisions also agreed that VDOE staff provide them accurate information and do so in a timely manner.

Moreover, two-thirds of school division staff indicated their division’s relationship with VDOE somewhat or substantially improved over the past three years.

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### WHY WE DID THIS STUDY

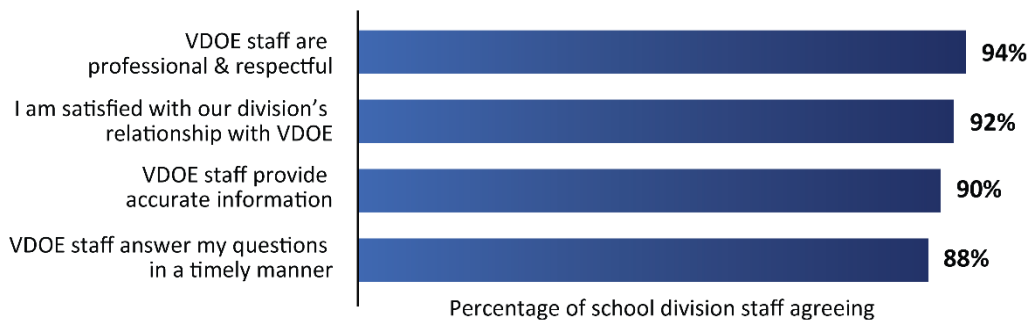
JLARC approved a resolution in 2018 directing staff to review the Virginia Department of Education (VDOE) because (i) it is a large state agency that plays a critical role in educating Virginia’s children and (ii) it had not been reviewed by JLARC in many years.

### ABOUT THE DEPARTMENT OF EDUCATION

VDOE, through the Virginia Board of Education, has the broad statutory direction to provide “general supervision of the public school system” and to conduct “proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities.” VDOE has about 350 employees who are located in the agency’s office in downtown Richmond.

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## Vast majority of responding school divisions have a positive view of VDOE



NOTE: Percentages represent respondents that “agreed” or “strongly agreed” with the statement.  
SOURCE: JLARC survey of local school division staff, May 2020.

## VDOE could do more to effectively supervise local divisions

VDOE is fully meeting some, but not all, criteria for effective supervision of local school divisions (table). VDOE efficiently collects and reports compliance information and data from school divisions for 41 federal and state requirements. School divisions also rate VDOE’s guidance and assistance for reporting compliance with state standards highly.

However, the longstanding approach VDOE uses to supervise school divisions has limitations. VDOE primarily supervises divisions by asking them to self-certify whether they are complying with state standards. The agency independently verifies

compliance for some, but not all, standards and monitors implementation of corrective actions for federal standards but does not always do so for state standards. In addition, information collected from school divisions is not always adequate to determine compliance.

### VDOE is meeting some, but not all, criteria for effective supervision

Criteria	Extent criteria met by VDOE
Collect and report division compliance with <i>all</i> federal and state standards	●
Use an <i>efficient</i> method to collect information about division compliance	●
Provide guidance and assistance to <i>help divisions</i> maintain compliance	●
Periodically conduct <i>independent verification</i> to ensure division compliance	◐
Require <i>corrective actions</i> when needed and <i>monitor progress</i> over time	◐
Collect adequate information to determine compliance	◐
Analyze available information to <i>identify trends and issues</i> needing attention	◐

Given the substantial amount of funding the state provides to the public education system, the extensive standards schools must comply with, and the importance of providing a quality education to each child, consideration should be given to strengthening VDOE’s supervision of school divisions. More comprehensive and effective state supervision for a subset of key standards could help to ensure that all school divisions meet their educational responsibilities.

### VDOE generally provides adequate support and assistance

The vast majority of school divisions are satisfied with the overall support and technical assistance provided by VDOE, according to the survey of division staff. Almost every division responding to the survey agreed that VDOE provides support that aligns with their instructional and non-instructional needs. Divisions also generally agreed that VDOE provided effective technical assistance and support in several key instructional and school operational areas.

School division staff indicated VDOE’s support of virtual learning and instructional technology was less effective, but VDOE has substantially increased resources to support virtual instruction. This summer, in response to increased demand for virtual learning resources during the COVID-19 pandemic, VDOE added substantial new content to Virtual Virginia (the state’s online learning management system) and expanded course offerings from mostly high school to also include middle and elementary school courses.

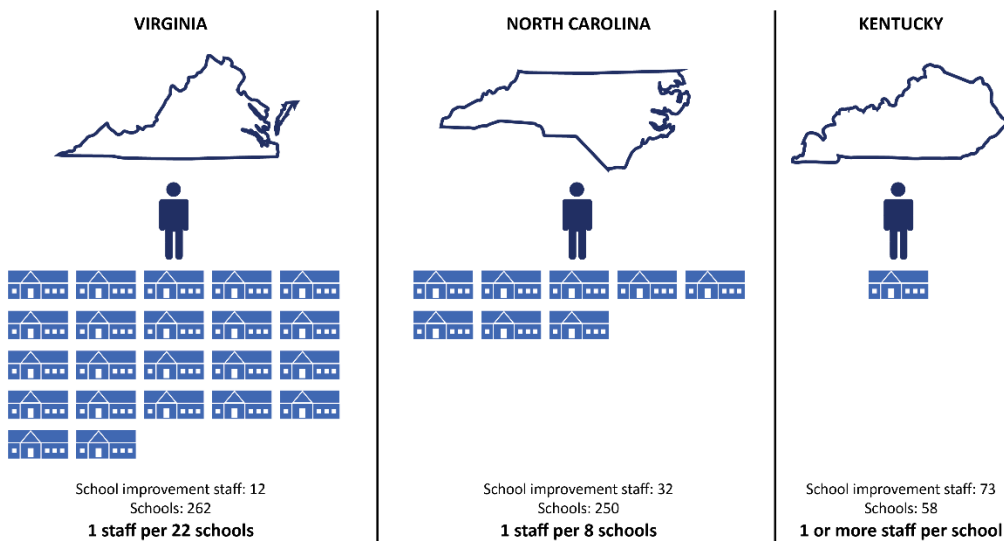
### School improvement program needs to be strengthened to better support low-performing schools and divisions

Only half of school divisions that had worked with VDOE’s Office of School Quality (OSQ) indicated that the office had effectively helped them improve their performance

through the school improvement program. Both OSQ staff and participating school division staff cited frustrations with the program that was described as largely a compliance exercise. OSQ is in the process of developing and implementing a new model using customized mentoring and coaching for school leadership that it hopes will improve the assistance provided to low-performing schools.

Along with a new approach, additional resources are needed to effectively implement the program. Virginia currently devotes comparatively few staff (12) to the state's school improvement function. Last year, OSQ worked with more than 260 schools resulting in a ratio of 22 schools per one OSQ staff. At current staffing levels, each staff member has about two weeks per year to work with each school needing improvement. Virginia devotes substantially fewer state staff to school improvement than several neighboring states. Virginia's school-to-staff ratio is much higher than the ratios in North Carolina and Kentucky (figure).

### VDOE's Office of School Quality has more schools in need of improvement per staff than comparable offices in neighboring states



SOURCE: JLARC staff analysis of state education agency websites and correspondence with staff from other states.  
NOTE: Data on the number of students, schools, and school improvement staff within each SEA reflects 2019–2020 school year.

Given the critical importance of the state's work to help improve low-performing schools and the lack of priority given to it in the past, the Code of Virginia should be amended to direct the state to administer an effective school improvement program. Providing explicit direction in the Code of Virginia would help ensure a sustained, long-term focus on improving low-performing schools that endures leadership changes at VDOE.

## **Office of Teacher Education should be strengthened to better support school divisions**

No single entity in Virginia is responsible for ensuring the state has enough fully licensed teachers, but VDOE plays a role through its Department of Teacher Education and Licensure. However, only half of school divisions reported that VDOE's support in recruiting and retaining highly qualified teachers was effective. The Office of Teacher Education needs to strengthen its support of local school divisions through more useful data collection and analysis to identify teacher shortages, target allocation of funds, and evaluate teacher mentorship programs. The office could also be given an expanded role helping divisions—especially those with staffing challenges—better recruit and retain teachers.

### **WHAT WE RECOMMEND**

#### **Legislative action**

- Direct the creation of a pilot program to more comprehensively supervise school division compliance with a subset of key state standards.
- Amend the Code of Virginia to require the development, implementation, and evaluation of effective state school improvement services.
- Provide additional funds for more staffing to provide school improvement services in the Office of School Quality.

#### **Executive action**

- Develop and implement a plan to effectively transition to the new school improvement model.
- More effectively implement existing responsibilities related to teacher recruitment and retention.

### **POLICY OPTIONS FOR CONSIDERATION**

#### **Legislative action**

- Provide additional funds for new staff to design and implement a pilot program to more comprehensively supervise school division compliance with a subset of key state standards.
- Provide additional funds for more staffing in the Office of Teacher Education.

#### **Executive action**

- Expand the support the Office of Teacher Education provides to divisions experiencing challenges recruiting and retaining teachers.

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Policy options for consideration. Staff typically propose policy options rather than make recommendations when (i) the action is a policy judgment best made by elected officials—especially the General Assembly, (ii) evidence suggests action could potentially be beneficial, or (iii) a report finding could be addressed in multiple ways.

The complete list of recommendations and policy options for consideration is available on page vii.



# Recommendations and Policy Options: Operations and Performance of the Department of Education

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JLARC staff typically make recommendations to address findings during reviews. Staff also sometimes propose policy options rather than recommendations. The three most common reasons staff propose policy options rather than recommendations are: (1) the action proposed is a policy judgment best made by the General Assembly or other elected officials, (2) the evidence indicates that addressing a report finding is not necessarily required, but doing so could be beneficial, or (3) there are multiple ways in which a report finding could be addressed, and there is insufficient evidence of a single best way to address the finding.

## Recommendations

### RECOMMENDATION 1

The Virginia Department of Education should collect data on the total hours worked by salaried employees and use that data to assess and monitor staff workload. (Chapter 2)

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### RECOMMENDATION 2

The Virginia Department of Education's Office of Human Capital should develop a plan to establish a more racially diverse applicant pool, including qualified minority candidates who are employees of the department, for future openings of senior leadership positions. (Chapter 2)

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### RECOMMENDATION 3

The General Assembly may wish to consider including language in the Appropriation Act directing the Virginia Department of Education to implement a pilot program to more comprehensively supervise school division compliance with a subset of key standards by requiring (i) the submission of more comprehensive compliance information, (ii) selective independent verification of compliance, (iii) monitoring of corrective action implementation, and (iv) analysis of compliance trends and issues. The department should conduct the pilot program during the 2021–2022 school year and submit a report on the results to the Board of Education and House Education and Appropriations committees and Senate Education and Health and Finance and Appropriations committees by November 30, 2022. (Chapter 3)

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### RECOMMENDATION 4

The Virginia Department of Education should periodically review its website to ensure the content is current, relevant, accessible, and intuitively organized. (Chapter 3)

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**RECOMMENDATION 5**

The Virginia Department of Education should compile and provide school divisions with a list of support resources and relevant staff contacts and maintain a calendar of professional development opportunities and webinars. (Chapter 3)

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**RECOMMENDATION 6**

The Virginia Department of Education should identify any information it collects from school divisions that other divisions may find useful, and that is not already shared, and make that information available to all divisions. (Chapter 3)

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**RECOMMENDATION 7**

The Virginia Department of Education should take steps to prioritize, synthesize, and organize the informational resources it emails to schools and divisions. (Chapter 3)

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**RECOMMENDATION 8**

The Virginia Department of Education should develop and implement a plan to guide its transition to a new school improvement model and estimate the additional staffing required to effectively implement the new model. The plan should be presented to the Board of Education and transmitted to the House Education and Appropriations committees and Senate Education and Health and Finance and Appropriations committees, no later than June 30, 2021. (Chapter 4)

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**RECOMMENDATION 9**

The General Assembly may wish to consider appropriating additional funding for new staff positions in the Virginia Department of Education's Office of School Quality to strengthen its work with school divisions in the school improvement program. (Chapter 4)

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**RECOMMENDATION 10**

The General Assembly may wish to consider amending § 22.1-23 of the Code of Virginia to direct the superintendent of public instruction to (i) develop and implement an effective school improvement program, (ii) identify measures to evaluate the effectiveness of the services the Office of School Quality provides to school divisions, (iii) evaluate and make changes as needed to ensure effectiveness, and (iv) annually report to the Board of Education. (Chapter 4)

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**RECOMMENDATION 11**

The Board of Education should direct school divisions to annually report the number of filled teaching positions, by endorsement area and subject area when possible. (Chapter 4)

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### **RECOMMENDATION 12**

The Virginia Department of Education should calculate teacher vacancy rates by division, region, and endorsement area, and make these vacancy rates publicly available on its website. (Chapter 4)

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### **RECOMMENDATION 13**

The Virginia Department of Education should develop and implement a methodology to allocate teacher mentorship funds to school divisions with the largest teacher shortages. (Chapter 4)

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### **RECOMMENDATION 14**

The Virginia Department of Education should (i) review the evaluations of teacher mentorship programs submitted by school divisions to identify effective teacher mentorship practices and (ii) use that review and best practices on teacher mentorship to update guidance on how to implement effective teacher mentorship programs. (Chapter 4)

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### **RECOMMENDATION 15**

The General Assembly may wish to consider amending § 22.1-305.2 of the Code of Virginia to direct the Advisory Board on Teacher Education and Licensure to advise the Board of Education on policies related to helping school divisions more effectively recruit and retain licensed teachers. (Chapter 4)

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### **RECOMMENDATION 16**

The Virginia Department of Education should set specific goals for how long it will take to process each type of license application or renewal and use processing times measured by its automated licensing system to determine whether it is meeting its processing timeliness goals. (Chapter 4)

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### **RECOMMENDATION 17**

The Virginia Department of Education should determine the total number and allocation of administrative staff and licensing specialists necessary in the Office of Licensure after the process automation is fully implemented. (Chapter 4)

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## **Policy Options to Consider**

### **POLICY OPTION 1**

The General Assembly could appropriate additional funding for up to two new staff positions to design and implement a pilot program for more comprehensive supervision of a subset of key state education standards. (Chapter 3)

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**POLICY OPTION 2**

The Board of Education could direct the Virginia Department of Education to implement the teacher exit questionnaire statewide annually from FY21 to FY25. The new questionnaire should be designed to better inform VDOE's understanding of teachers' reasons for leaving the teaching profession. (Chapter 4)

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**POLICY OPTION 3**

The Virginia Department of Education could give the Office of Teacher Education a stronger role in helping school divisions with the most substantial challenges recruiting and retaining teachers, which could include (i) conducting more useful data collection and analysis of teacher recruitment and retention challenges, (ii) more effectively administering teacher mentorship and incentive programs, and (iii) identifying and implementing strategies to encourage more individuals to enter into and remain in the teaching profession. (Chapter 4)

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**POLICY OPTION 4**

The General Assembly could appropriate additional funding for three new staff positions in the Office of Teacher Education to strengthen its role in helping school divisions with the most substantial teacher recruitment and retention challenges. (Chapter 4)

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**POLICY OPTION 5**

The General Assembly could amend § 22.1-9 of the Code of Virginia to require that the Board of Education include (i) one member with expertise or experience in local government leadership or policymaking, (ii) one member with expertise or experience in career and technical education, and (iii) one member with expertise or experience in early childhood education. (Chapter 5)

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**POLICY OPTION 6**

The General Assembly could amend § 22.1-9 of the Code of Virginia to require the Board of Education to include members that represent at least five of the state's eight superintendent regions. (Chapter 5)

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# 1 Introduction

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The Commission approved a resolution in 2018 directing JLARC staff to review the Virginia Department of Education. Commission interest in a review of VDOE was prompted, in part, because VDOE is a large agency that plays a critical role in educating Virginia’s children, and it has not been reviewed by JLARC in many years. The resolution required the review to assess whether the department:

- is organized and staffed to ensure efficient and effective operations;
- adequately monitors school division compliance with key requirements;
- adequately supports school divisions in addressing challenges and providing effective instruction and instructional support programs;
- effectively coordinates with other education and workforce agencies; and
- has an effective relationship with the Board of Education. (See Appendix A for the study resolution.)

To address the study resolution, JLARC staff surveyed VDOE staff, members of the Virginia Board of Education, and Virginia’s school divisions; interviewed staff at VDOE, local school divisions, and other state agencies, and stakeholders and experts on public education; analyzed VDOE staffing, spending, and data on public education in Virginia; and reviewed other VDOE agency reviews and audits. (See Appendix B for the research methods used in this study.)

This report does not evaluate VDOE’s response to the COVID-19 pandemic, which has had a major impact on agency operations, because the pandemic is still ongoing. VDOE played a key role in working with the governor’s office, Virginia Department of Health, and numerous task forces to make decisions and provide guidance to school divisions after schools were closed in mid-March 2020. VDOE provided substantial guidance on distance learning during the remainder of the 2019–20 academic year and reopening for the 2020–21 academic year. While this report does not evaluate VDOE’s ongoing response to changing conditions, staff did review VDOE’s COVID-19 guidance and asked school divisions about its usefulness. The vast majority of school divisions reported to JLARC the guidance was useful. (See Appendix C for summaries of VDOE guidance and school divisions’ assessment of the guidance provided.)

This report also does not evaluate the future transition of the state’s early childhood function from the Department of Social Services to VDOE (sidebar). This will be a major undertaking and result in a substantial increase in VDOE staffing and spending. VDOE and VDSS are currently planning for the transition, the majority of which will likely occur in FY22.

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**Legislation passed in 2020 – SB 578 / HB 1012** – requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education and VDOE.

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## Virginia’s Board of Education and Department of Education supervise Virginia’s K–12 system

The Virginia Board of Education is tasked with promulgating the state’s K–12 policy through regulations within the parameters of the Code of Virginia. The board consists of nine appointed members, and the superintendent of public instruction serves as the secretary of the board. Board members are appointed by the governor, subject to confirmation by the General Assembly, and serve four-year terms. Board members do not need specific qualifications (with the exception that at least two of the nine members “shall represent business and industry in the private sector”). VDOE provides staff support to the board and implements regulations and policies on its behalf.

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**Local school boards and superintendents** have broad responsibility for public education in their locality. This includes ensuring that state and federal education laws are properly and efficiently explained, enforced, and observed; as well as caring for, managing, and controlling the property of the school division.

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VDOE, through the Virginia Board of Education, has the broad statutory direction to provide “general supervision of the public school system” and to conduct “proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities.” In Virginia’s locally administered K–12 system, local school boards have supervisory authority over the operations and management of schools in their division (sidebar).

### VDOE has a variety of compliance and support roles and disburses funding to schools

VDOE’s defined mission is to “maximize the potential of all learners” and “advance equitable and innovative learning.” VDOE works to achieve this mission through four key activities: ensuring local accountability for state and federal requirements, supporting local school divisions, partnering with other state agencies and education stakeholder groups, and distributing state and federal funds to school divisions.

### VDOE has approximately 350 staff organized into several major divisions

VDOE has about 350 employees who are located in the agency’s main office in downtown Richmond. VDOE is led by the superintendent of public instruction. VDOE’s organizational structure consists of divisions, departments, and offices. VDOE’s two largest divisions report directly to two deputy superintendents (316 staff in total) (Figure 1-1). The next largest groups are the Division of School Readiness (17 staff) and the Department of Policy, Equity, and Communications (15 staff).

The Division of School Quality, Instruction, and Performance is the agency’s largest division (218 staff), and staff are primarily in one of four departments:

- the Department of Special Education and Student Services (67 staff) is responsible for specialized instructional support as well as special education monitoring, funding, and oversight;

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**JLARC review of special education.** Concurrent to this review of VDOE, JLARC is also reviewing the state’s special education system (including VDOE’s role). Consequently, this review of VDOE does not include VDOE’s special education department.

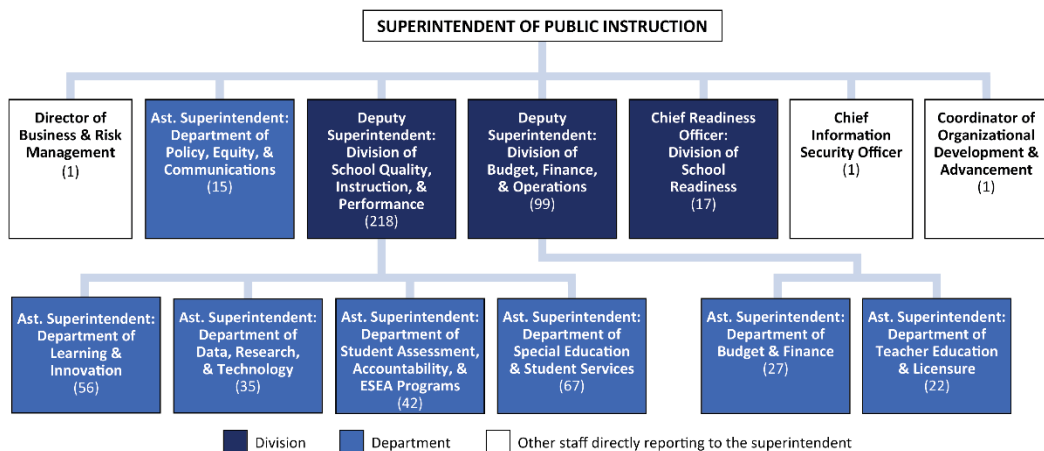
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- the Department of Learning and Innovation (56 staff) specializes in curriculum development and creates standards of learning content for all subject areas;
- the Department of Assessment, Accountability, and ESEA Programs (42 staff) oversees and implements federal and state accountability standards, including the federal Every Student Succeeds Act and Virginia’s Standards of Learning assessments, as well as management of VDOE’s contract with Pearson to develop and implement most statewide student assessments; and
- the Department of Data, Research, and Technology (35 staff) conducts much of the data collection, reporting, and analysis activities for the agency.

The Division of Budget, Finance, and Operations is the second-largest division of the agency (99 staff), and staff are primarily in one of two departments:

- the Department of Budget and Finance (37 staff) performs the agency’s budget operations as well as financial functions such as dispersing grant funds and the state’s direct aid to school divisions, and
- the Department of Teacher Licensure and Education (22 staff) processes teacher licensure applications and oversees approval of teacher preparation programs at colleges and universities.

**FIGURE 1-1**  
VDOE staffing organization chart



SOURCE: VDOE organization chart.

NOTE: Numbers of staff within departments may not add to division total because some administrative staff report directly to the division head. The Division of Budget, Finance, & Operations has three offices that combine for 47 staff that report directly to the deputy superintendent. The Division of School Quality, Instruction, and Performance has two offices that include 27 staff that report directly to the deputy superintendent.

Legislation passed during the 2020 General Assembly session transfers the authority to license and regulate child day programs and other early child care agencies from the

Department of Social Services to VDOE. The legislation's primary goal was to designate VDOE as a single point of accountability for school readiness in Virginia. The transition of early childhood care and education to VDOE will broaden the agency's responsibilities and substantially increase agency staffing. Preliminary estimates project that VDOE's staffing will increase by approximately 160 FTEs once the transition is fully complete by FY22. A majority of the estimated staffing positions (142) will be child care licensing staff from VDSS.

### **VDOE administers over \$8 billion in funding to school divisions**

A critical role of VDOE is the distribution of direct aid—state, federal, and other funds—to Virginia's school divisions as well as funding for other educational programs. In FY20, VDOE distributed nearly \$7.3 billion in state funding to school divisions. This funding includes

- \$6.2 billion in Standards of Quality funding (SOQ),
- \$628 million in Virginia Lottery funds (sidebar),
- \$367 million in financial incentive programs for public education (such as governor's schools, the At-Risk Add-On, and Small School Division Enrollment Loss), and
- \$58 million for financial assistance for categorical programs (such as state-operated special education programs and Virtual Virginia).

In FY20, VDOE also distributed an additional \$1.1 billion in federal education funding to local school divisions. Furthermore, VDOE distributed an additional \$33 million in assistance for supplemental education programs such as Career and Technical Education Regional Centers, the Virginia Early Childhood Foundation, the National Board Certification Program, and Extended School Year grants.

### **VDOE's budget includes a mix of general and non-general funds**

VDOE directly spent \$102.4 million in FY20, \$72.3 million of which was on agency operations with the other one-third of spending going toward the state's \$30.1 million contract for standardized testing services (sidebar). Beyond the testing contract, the largest spending category was instructional services related to developing standards of learning and assisting school divisions with instruction (\$22.9 million). Substantial spending (\$11 million) was also devoted to special education services (which are being reviewed in another JLARC report to be released in December 2020) and to information technology (\$9.2 million) (Figure 1-2).

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Proceeds from the **Virginia Lottery** are mandated to be used in support of Virginia's public K-12 public education system by the Virginia Constitution.

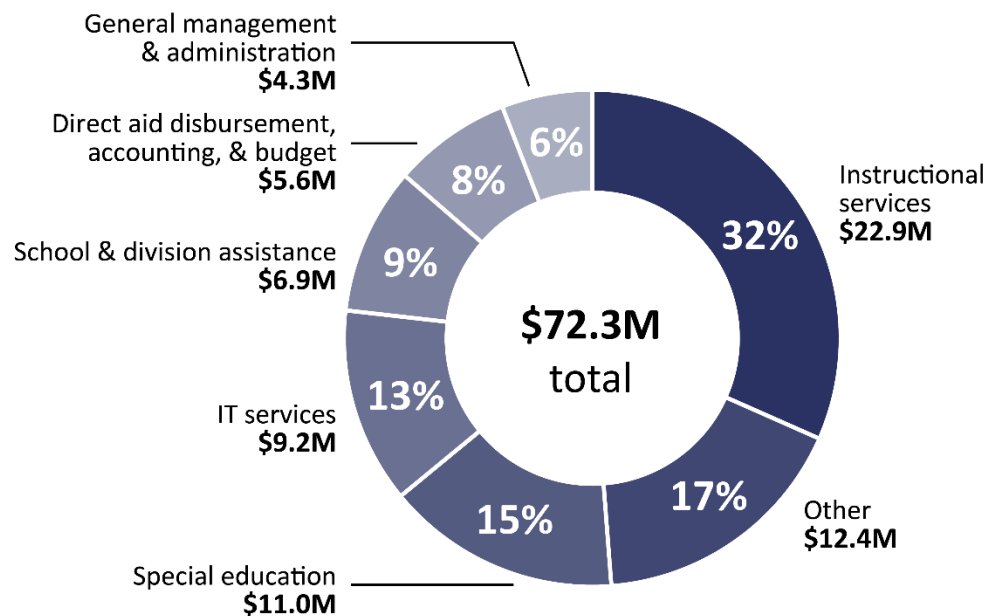
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**Standardized assessment** of public K-12 students in Virginia is conducted through **the Standards of Learning (SOL) testing**. SOL testing is intended to measure the success of students in meeting the Board of Education's expectations for learning and achievement in reading, writing, mathematics, science and history/social science. VDOE contracts with Pearson (\$30.1 million in FY20) to provide assessment materials, software, and support.

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**FIGURE 1-2**  
**VDOE's largest spending occurs in instructional services and special education**



SOURCE: VDOE expenditure data, FY20.

NOTES: Excludes \$30.1 million paid to Pearson through contract to administer the Standards of Learning tests.

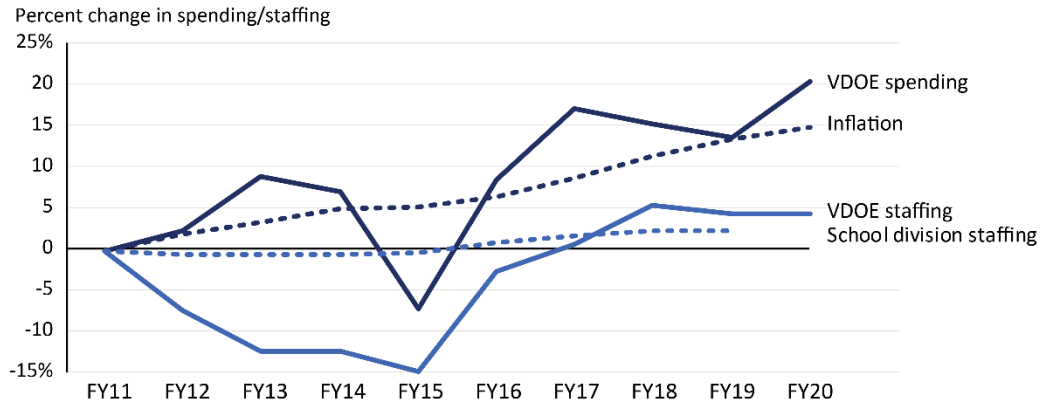
"Other" category includes pupil assessment services minus the Pearson contract (\$2.7 million), student services including counseling and health services (\$2.5 million), technology assistance services to school divisions (\$2.5 million), teacher licensure and education (\$2.4 million), and policy, planning, and evaluation (\$2.3 million).

VDOE is funded through a mix of revenue sources, primarily general funds and federal funds. The majority of VDOE central office spending is state general funds (58 percent in FY20) with most of the remaining from federal sources (38 percent). A small portion of spending is also from special funds, such as revenue from nominal fees collected as part of the teacher licensure process. Funding sources vary across VDOE programs and services. For example, almost all of VDOE's agency administrative expenses (budget and finance, information technology, policy and planning) were paid for with general funds in FY20. In contrast, school nutrition spending was nearly 100 percent federally funded. Instructional and special education services were paid for with a blend of general and federal funds.

### **VDOE's spending and staffing have grown modestly since the Great Recession**

VDOE's total spending slightly outpaced inflation over the past decade. Total agency spending has grown steadily since the Great Recession, up 21 percent from FY11 to FY20 (Figure 1-3). This growth is slightly more than the 15 percent inflation rate during the same time period. When adjusted for inflation, spending grew by 5 percent since FY11.

**FIGURE 1-3**  
**VDOE appropriations have slightly outpaced inflation during past decade**



SOURCES: JLARC analysis of VDOE expenditures and staffing; local school division staffing; and urban CPI.  
 NOTE: School division staffing includes instructional personnel in schools as well as school division central office staff. VDOE staffing includes both salaried and wage staff.

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**School nutrition** staffing increased substantially in 2017 as staff were transferred from VDH to VDOE as part of the mandated transfer of the Summer Food Service Program (SFSP) and Child and Adult Care Food Program (CACFP).

The **Community Eligibility Provision**, which allows high-poverty schools to offer free breakfast and lunch to *all* students, was also introduced during this time period.

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**Wage staff** at VDOE include employees that work part time, work for VDOE on a consulting basis such as a school improvement specialist, or serve in a temporary role such as support of a one-time initiative or as an acting director of an office.

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VDOE total agency spending grew less than total state government spending over the last decade. VDOE's general fund expenditures grew at an average of 2.4 percent annually from FY10 to FY19, which is less than the 4.2 percent average annual increase in total state general fund spending. VDOE's non-general fund expenditures (primarily federal funds) grew by 1.8 percent annually from FY10 to FY19, less than the 5.8 percent average growth of non-general fund expenditures.

VDOE has reduced its spending on the contract with Pearson for testing and shifted these dollars to other spending. Consequently, VDOE spending, excluding the Pearson contract, increased by 40 percent (21 percent when adjusted for inflation) from FY11 to FY20. Increases in the cost of salaries and benefits accounted for about one-third of the increase. Instructional services, school nutrition, IT services, and direct aid disbursement, finance, and budgeting accounted for the majority of the increase.

VDOE's staffing has grown modestly over the past decade (FY11–FY20). Total agency staffing increased about 5 percent to 343 in FY20 (Figure 1-3). VDOE's staffing grew slightly more than local school division staffing (instructional positions and division central office positions), which increased by 3 percent. This relatively modest staffing growth at VDOE includes increases in staffing for the federally funded school nutrition program (sidebar). Excluding school nutrition growth, agency-wide staffing grew 1 percent since FY11. Other than nutrition, the largest staffing changes were an increase in accounting and budget staff and decreases to pupil assessment and adult education staffing. Appendix D includes more information about VDOE spending and staffing.

VDOE's staffing has yet to return to pre-Great Recession levels. The agency had 404 staff in FY07, 18 percent more than the 343 staff in FY20. The vast majority of this decline has been in wage staff rather than salaried staff (sidebar). VDOE's 105 wage



staff from FY07 were eliminated almost entirely during the Great Recession. The agency now employs 44 wage staff, 61 fewer than before the Great Recession. The majority of wage staff reductions were administrative and office specialists. VDOE leadership and management staff indicate that the work done by wage staff before the Great Recession was distributed to remaining employees, resulting in increased workloads.



## 2 VDOE Agency Management

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VDOE is responsible for ensuring school and division compliance with nearly all state and federal laws and regulations related to primary and secondary education, and disperses \$8 billion annually in direct aid to school divisions and other educational programs. Because of these significant responsibilities, effective agency management at VDOE is critical to supporting the performance of Virginia’s K–12 system.

Since the current superintendent’s appointment in June 2018, VDOE has undergone a significant agency reorganization, which is the agency’s first major reorganization in at least 20 years. The reorganization aimed to improve communication across the agency and to reduce the number of direct reports to the superintendent (sidebar). The agency was re-organized into four large divisions that include multiple offices, and the superintendent now has seven direct reports. Several new deputy or assistant superintendent positions were created, and many staff now report to new supervisors.

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The previous organizational structure had 15 staff reporting to the superintendent.

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### **Staff are generally satisfied with agency**

VDOE staff are generally satisfied with their job, the agency, and leadership (Figure 2-1). Many staff responding to a JLARC survey made positive comments about their experience working at VDOE (sidebar). One staff member said: “I love my job and feel that I have much to offer the agency. I work with a wonderful team of people. We collaborate well and assist each other in our work to meet the diverse needs of the people we serve.” VDOE staff were equally or more satisfied with their job and agency than staff of other agencies recently reviewed by JLARC. Staff also had more positive perceptions of agency leadership than staff at other state agencies recently reviewed.

Staff generally believe they are given adequate guidance and structure to be effective. More than three-fourths of staff reported that they have sufficient direction to do their job well. Nearly 80 percent reported their individual offices coordinated effectively with other offices, and over 70 percent reported the current agency structure overall is effective.

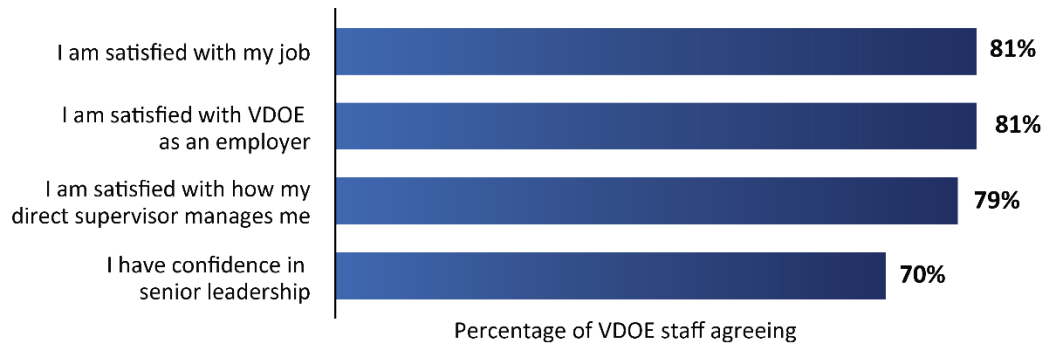
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**VDOE staff were surveyed** about their perceptions of their job, VDOE as an employer, agency leadership, and the effectiveness of compliance and support activities that their office at VDOE provides to schools and school divisions. JLARC received responses from 277 VDOE staff, for a response rate of 80 percent. (See Appendix B for more information.)

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For the purpose of this study, JLARC defined VDOE senior leadership as the superintendent of public instruction, deputy and assistant superintendents, and other staff that report directly to the superintendent of public instruction (13 total positions).

**FIGURE 2-1**  
**Most VDOE staff rated their job, agency, and leadership highly**



SOURCE: JLARC survey of VDOE staff.

NOTE: Senior leadership includes the superintendent of public instruction, deputy and assistant superintendents, and other staff that report directly to the superintendent of public instruction. Percentages represent respondents that “agreed” or “strongly agreed” with the statement.

JLARC staff collected data from nine state agencies about 48 programs or initiatives in which the agencies partner with VDOE.

VDOE staff reported that they coordinated well with staff of other state agencies when necessary, and other agency staff agreed. Staff at other state agencies that work closely with VDOE staff on shared programs or initiatives reported that VDOE coordinates effectively on nearly all programs (sidebar). (See Appendix E for more information about VDOE’s coordination with other agencies.)

VDOE staff also have a positive view of their colleagues. Approximately 80 percent of survey respondents felt that their closest colleagues—those in their same office—collaborate effectively with one another; have the knowledge, skills, and abilities required for their role; and are motivated and dedicated employees.

### **Turnover is low, but many staff are dissatisfied with salary and workload**

Staff turnover at VDOE is lower than at other state agencies, but staff are widely dissatisfied with salaries, resources, and workloads. Only 41 percent of staff agreed or strongly agreed their salary was reasonable. Only half of VDOE staff felt that their office had enough staff to effectively perform its duties, and more than one-third reported that they frequently work more than 40 hours a week. VDOE leadership indicate that workload issues largely stem from staffing reductions following the Great-Recession (Chapter 1). Despite salary and workload concerns among staff, in FY19 VDOE had just 10 percent turnover among classified employees, lower than the statewide average of 15 percent (sidebar).

Though agency turnover is currently low, several indicators suggest it could become a problem soon:

- more than one-third of staff reported that they had considered leaving the agency during the last six months (before the COVID-19 pandemic);

Tenure at VDOE is comparable to other state agencies. VDOE staff’s average years of service in FY19 was 11 years, which is the same as the state average and comparable to other major agencies in the education secretariat (VCCS and SCHEV).

- longer-tenured staff were more dissatisfied with their salaries than shorter-tenured staff; and
- one-third of staff will be eligible for retirement within five years, higher than the statewide average of 24 percent.

An additional concern for future staff workload is the impact that the ongoing transition of early childhood education programs to VDOE will have for some agency support functions (such as human resources and finance). The transition will result in approximately 160 new VDOE staff, most of whom will be child care facility licensing staff. The transition plan calls for additional central office support staff, including two human resources positions and one finance position. However, despite these additions, workload will likely increase for some existing staff. For example, 160 additional staff will result in VDOE having a ratio of just one human resources staff position per 100 employees, which is less favorable than the average across all state agencies (one to 60), according to Virginia Department of Human Resource Management. In addition, the budget and finance offices will see an increased workload as VDOE begins managing \$181 million in Child Care and Development Block Grant funds.

Furthermore, the substantial effort required for VDOE to provide guidance on the closure and reopening of schools during the COVID-19 pandemic has required many staff to work significant amounts of overtime. The additional work makes it even more likely that staff concerns, particularly related to workload and compensation, could develop into a retention problem in the future.

Despite these workload pressures, VDOE does not maintain data on the number of hours that salaried employees work in excess of a typical 40-hour work week (sidebar). Staff concerns with staffing levels and workload differ by office, with survey respondents in some offices indicating much greater levels of dissatisfaction. The difference in satisfaction levels indicates that certain offices are likely to be more susceptible to morale being negatively impacted by workload. VDOE should, therefore, track the number of hours worked per week by salaried employees to better identify offices that are most affected by a high workload. This information could also inform future decisions about reallocating existing staff or allocating new staff.

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Hours worked by salaried employees on weekends and holidays are tracked by VDOE when compensatory time is being requested. However, **time worked beyond the standard eight-hour workday** on a typical weekday is not tracked.

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### **RECOMMENDATION 1**

The Virginia Department of Education should collect data on the total hours worked by salaried employees and use that data to assess and monitor staff workload.

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VDOE recently piloted a new version of its internal staff survey to assess employee engagement, workload, and compensation satisfaction. That survey is scheduled to go out to all staff in fall 2020. Agency leadership can use this survey on an ongoing basis to gain a better understanding of staff morale and concerns and to assess whether those concerns change over time.

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VDOE conducted its **workforce planning and development report** under the requirement of the agency director human resource training and agency succession planning statute (§ 2.2-1209).

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In 2019, VDOE also completed a workforce planning and development report for the agency that has helped the agency identify compensation concerns and potential future turnover (sidebar). The report identifies key metrics for the agency such as critical positions, percentage of staff eligible for retirement, the agency’s resignation rate, and the average tenure of agency staff. The report also identifies risks for the agency, which included non-competitive compensation and potential for loss of institutional knowledge to retirement.

### **Staff are relatively diverse, though senior leadership could be more racially diverse**

VDOE staff are slightly more racially diverse than the state employee workforce overall. In FY19, 38 percent of VDOE’s classified employees were minorities, which is slightly higher than the 36 percent average of all state agencies.

However, as of July 2020, all 13 staff in senior leadership positions—primarily the assistant superintendent level or higher—were white (seven of them are male). Eight of nine hires for these positions since VDOE’s reorganization in 2018 have been white applicants (one minority applicant was hired but has since left the agency). A member of the superintendent’s cabinet is a person of color, though that person is an office director. For more information about recent hiring at VDOE, see Appendix D.

The Virginia Board of Education’s number one priority, according to its comprehensive plan, is to “provide high-quality, effective learning environments for all students” with an explicit focus on equity. As of fall 2019, 52 percent of public school students in Virginia were minorities, and the proportion of minority students has been growing. VDOE staff expressed concern that a lack of diversity in agency senior leadership may hurt perceptions of the agency and not allow VDOE leadership to fully understand the challenges facing school divisions with higher proportions of minority student populations.

Though a few staff mentioned the lack of racial diversity in senior leadership on the staff survey and during interviews, there were no significant racial disparities among staff in terms of job satisfaction and perception of agency management (sidebar). Moreover, the majority of staff reported they believe senior leadership works to foster a culture of inclusion and respect.

According to VDOE leadership, it is difficult to successfully recruit minority candidates for assistant superintendent level positions. Agency leadership staff indicate that they have had more success in hiring office directors who are people of color (the level below assistant superintendent), which will better position the agency to fill future senior leadership roles with more diverse internal applicants as those positions become vacant. Eight of 31 (26 percent) VDOE office directors are minorities. Agency leadership and management staff are also addressing diversity through participation in an equity training series provided by Virginia Commonwealth University that focuses on implicit bias and cultural competency.

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**Survey responses did *not* have substantial variation based on the race of a respondent.** On average, 84 percent of white respondents agreed they were satisfied with their job, and 71 percent agreed they had confidence in agency senior leadership. On average, 82 percent of Black respondents were satisfied with their job, and 67 percent had confidence in leadership. The racial demographics of survey respondents were similar to those of VDOE as a whole, indicating that groups were proportionally represented in survey responses.

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To continue to foster increased racial diversity of VDOE’s senior leadership, VDOE’s Office of Human Capital should develop a plan to recruit and hire (either from within the agency’s more diverse office directors or outside the agency) more senior leadership staff who are people of color and implement the plan as positions become vacant in the future. The plan could include, for example, strategies for widening the applicant pool to include more minority applicants or actively recruiting at school divisions with more minorities on staff.

**RECOMMENDATION 2**

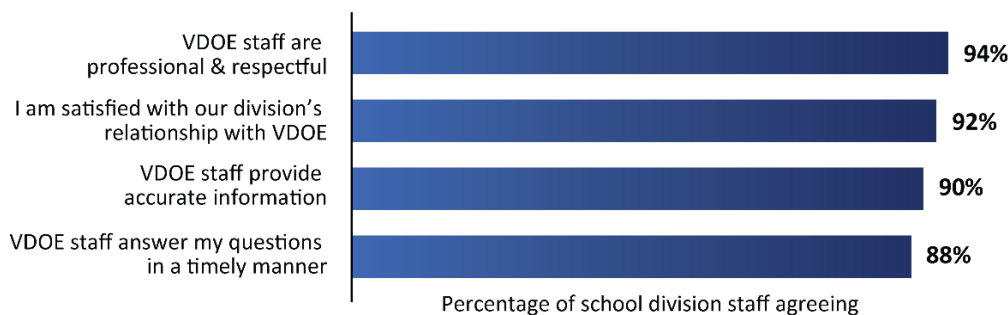
The Virginia Department of Education’s Office of Human Capital should develop a plan to establish a more racially diverse applicant pool, including qualified minority candidates who are employees of the department, for future openings of senior leadership positions.

**School divisions and other stakeholders have positive view of VDOE**

School divisions and education stakeholder groups generally praised VDOE staff. Nearly all school divisions view VDOE staff as professional and reported they are satisfied with VDOE staff’s relationship with their division (sidebar). Most divisions also agreed that VDOE staff provide them accurate information and do so in a timely manner (Figure 2-2). Similarly, many of the state’s education stakeholder groups also have a positive perception of VDOE. Interviews with education associations, such as the Virginia Association of School Superintendents, indicated a generally positive view of VDOE. One association representative noted: “DOE is interested in what practitioners think and the work that is going on in schools. They are genuinely committed to kids and that hasn’t always been the case.” Several associations expressed appreciation for frequent and timely communication between their association and VDOE staff.

JLARC staff surveyed local school division staff about their relationship with VDOE, as well as the quality of VDOE compliance and support activities. JLARC received responses from 101 divisions, for a response rate of 76 percent of divisions statewide. (See Appendix B for more information.)

**FIGURE 2-2**  
**Vast majority of responding school divisions have a positive view of VDOE**



SOURCE: JLARC survey of local school division staff, May 2020.

NOTE: Percentages represent respondents that “agreed” or “strongly agreed” with the statement. “Do not know” responses are excluded.

Divisions were generally welcoming of some of the recent changes made under the current superintendent. Two-thirds of school division staff indicated their division's relationship with VDOE somewhat or substantially improved over the past three years. School divisions remarked that: "Overall, the DOE has improved under Dr. Lane's leadership" and "[The] spirit of collaboration, communication, and collective vision has even strengthened." Another commented: "I have worked with many different state superintendents and staff. This group is by far the best."

Other stakeholders, such as staff at other state agencies and members of the Board of Education, also noted recent improvement at VDOE. Agencies that coordinate or partner with VDOE indicated that coordination had improved (23 percent) or stayed the same (77 percent) for all programs in which they indicated some coordination with VDOE. Auditor of Public Accounts (APA) staff noted improvement in their relationship with VDOE leadership, as well as budget, finance, and IT staff, during audits of VDOE. Board of Education members with longer tenure reported that the information, guidance, and support VDOE provides to the board has improved over the past three years.

## **Budgeting and finance functions are improving, but IT is a work in progress**

Sound administrative operations are imperative at an agency of VDOE's size. VDOE distributes over \$8 billion to schools, divisions, and other programs annually, which requires significant budget and finance staff time as well as effective and efficient protocols. Similarly, because VDOE houses protected personal information on all students and teachers in the commonwealth, the agency needs to have effective IT security. APA staff audit VDOE's finance and budget operations and IT security and operations annually.

## **Finance and budget operations have improved substantially, but budget office has staffing concerns**

From FY16 to FY18, APA made significant negative findings in VDOE's finance and budget operations—16 in total. For example, VDOE overpaid school divisions \$76 million in recurring payments (that later had to be recovered) in FY16. APA and VDOE staff attribute poor audit findings to several staffing and management factors. Both the offices of budgeting and finance experienced high turnover, which led to a loss of institutional knowledge of processes and procedures. From FY16 to FY18, turnover in budget and finance functions averaged over 17 percent annually, compared with 12 percent across the agency overall. VDOE also did not have the proper written documentation for processes and protocols, according to both APA and VDOE staff.

In recent years, VDOE has taken steps to improve operations in this area. Agency leadership indicated a strong focus on addressing audit findings. A new leadership po-



sition—assistant superintendent of budget and finance—was created to add an additional layer of oversight, management, and expertise to the budget and finance functions. Furthermore, some finance staff have since left VDOE, and agency leadership suggested those were necessary departures to achieve positive changes. APA staff indicate improvements in both offices' operations. For example, VDOE has produced new standard operating procedures and conducted an annual internal review of documentation.

Despite these improvements, VDOE's system for calculating Standards of Quality funding to local school divisions has limitations. Prior APA reports have noted that the system lacks some of the testing, documentation, and verification capabilities of formal accounting software. For instance, the use of spreadsheets requires more staff time to calculate and verify dispersals and increases the risk of inaccuracies. External stakeholders also indicate that the spreadsheet approach limits VDOE's ability to conduct forecasting and sensitivity analysis related to changes in Standards of Quality funding.

Although VDOE's performance in budget and finance has improved overall, survey results show that the morale and outlook of staff in these two offices vary. Eighty percent of finance staff agreed or strongly agreed they were satisfied with their job (compared with 81 percent overall at VDOE); just 60 percent of budget staff did so. About half of finance staff agreed or strongly agreed their office had sufficient staff (equal to VDOE staff overall); no budget staff agreed with the same statement. Budget staff were also less likely than finance staff to agree that their talents were well used and reported lower satisfaction with training and compensation.

### **VDOE IT generally functions well but has faced challenges with IT security and system limitations**

VDOE has been cited for numerous IT security and operations concerns in recent years. From FY15 to FY19, APA reported 12 findings related to VDOE's information technology security and operations (Table 2-1). Three negative findings in FY16 were classified as material weaknesses and several findings in FY16 and FY17 were repeat findings, indicating that VDOE was not addressing APA concerns from previous years. However, VDOE did not incur any known, major IT security breaches during this time, and 80 percent of VDOE staff said they had confidence in the security of data and information housed in VDOE IT systems and databases.

It appears that some progress is being made in addressing IT concerns. In December 2019, VDOE hired a new chief information security officer (CISO). The position was originally created in 2015 in response to past APA audit findings. The current CISO is working to create and update key operations, procedures, and policy documents for the agency's data security program. Early observations by APA staff indicate that efforts by the new CISO appear to be moving in a positive direction. VDOE management is optimistic that the CISO's efforts will strengthen the agency's IT security. In

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A **material weakness** is a financial audit finding that indicates a problem that is likely to have a material impact to a financial statement. A **significant deficiency** is less severe than a material weakness and is unlikely to have a material impact on financial statements, but it is important enough to merit attention by those responsible.

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**VITA is the state’s central IT agency**, which manages, coordinates, and provides IT infrastructure services—including hardware orders and updates—for VDOE and other executive-branch agencies.

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addition, VDOE leadership pointed to at least one repeat negative finding that reoccurred because it required awaiting action by VITA (sidebar).

**TABLE 2-1**  
**APA reported negative IT findings in VDOE audits, 2015–2019**

<b>Year</b>	<b>Total negative findings</b>	<b># of material weaknesses</b>	<b># of repeat findings</b>
2015	3	N/A	2
2016	6	3	3
2017	2	0	2
2018	4	0	1
2019	3	0	1

SOURCE: JLARC analysis of APA annual audits of VDOE and Direct Aid to Public Education, 2015–2019.

NOTE: Total negative findings include all material weakness, significant deficiency, and repeat findings. Material weakness indicates the most severe level of negative finding. Repeat finding indicates an issue that was identified in prior year(s) but had not yet been sufficiently resolved. Findings in FY15 were not given a material weakness or significant deficiency categorization.

Beyond IT security concerns, VDOE also has IT shortcomings that hinder its ability to effectively interact with school divisions. VDOE staff expressed frustration with the agency’s outdated hardware, software, and systems. Slightly more than half of VDOE survey respondents agreed or strongly agreed they had adequate technology to do their job; slightly less than half agreed they had the technology to efficiently serve stakeholders.

VDOE staff expressed concern that some IT limitations make them less effective at their work. For example, VDOE staff cannot, per VITA policy, use Google Drive services to share documents or work collaboratively with school divisions. (This is a statewide policy that is not unique to VDOE.) Several staff also noted in the survey that, until recently, their laptops did not have a built-in camera, which limited their ability to provide webinars or host meetings. (The agency purchased cameras for staff because of the increased reliance on telework during the COVID-19 pandemic this year.) Similarly, some VDOE staff expressed concern with the age of the agency’s automated grant reimbursement and application system (OMEGA). Several staff indicated that OMEGA’s shortcomings were mostly inconveniences—such as inflexible PDF report outputs—rather than a material hindrance to agency performance. Despite its age, the OMEGA system appears functional. VDOE has repeatedly requested state appropriations to replace the system in recent years, and received funding for that purpose in FY20.

# 3 VDOE Supervision and Support

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The Code of Virginia defines VDOE’s role in supervising and supporting school divisions through general and specific requirements. In general terms, the superintendent of public instruction is directed to “provide such assistance in his office as shall be necessary for the proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities.” There are also specific requirements, largely directing VDOE to collect certain types of information from school divisions to demonstrate local school compliance with federal and state laws and regulations.

The Code of Virginia includes only a few requirements directing support or technical assistance, though VDOE provides this as well. This assistance can include providing one-on-one consultation with school division or school staff, as well as guidance documents and other resource materials for administrators, teachers, and other school staff.

## VDOE’s longstanding approach to supervision could be strengthened

VDOE’s supervisory role is specified in the state constitution and is important to ensure Virginia’s school divisions are meeting federal and state educational requirements (sidebar). VDOE supervises school divisions’ compliance with at least 41 federal and state requirements. These federal and state requirements vary considerably by topic and complexity and are described briefly in Appendix F.

The majority of these requirements (22 of 41) are from the state. These state requirements are meant to ensure that school divisions spend state funds for specific program areas or initiatives, such as career and technical education (CTE) or K–3 primary class size reduction. State requirements include ensuring that all school divisions meet the minimum educational standards that are set in the state’s Standards of Quality (such as class sizes, teacher qualifications, and appropriately differentiated instruction). State requirements also measure whether student performance, attendance, and graduation rates meet the minimum levels established by the Board of Education through the Standards of Accreditation. Another 10 reporting requirements are federally mandated, such as measuring progress under the Every Student Succeeds Act (ESSA) and Perkins V. The remaining nine reporting requirements are for programs where the data and information collected fulfills both federal and state program requirements.

VDOE is meeting some, but not all, criteria for maximizing the effectiveness of its supervision. VDOE efficiently collects compliance information from school divisions

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For this report, JLARC staff did not review the effectiveness of VDOE supervision and compliance monitoring for special education. That will be conducted as part JLARC’s review of special education in Virginia, which will be reported in December 2020.

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The primary **federal laws** driving VDOE’s compliance activities are the Elementary and Secondary Education Act (via the Every Student Succeeds Act, which replaced No Child Left Behind); the Individuals with Disabilities in Education Act; and the Strengthening Career and Technical Education for the 21st Century Act (“Perkins V”).

VDOE is required to collect and report information by the **Code of Virginia, the Appropriation Act, or regulations**, such as annual data on participation in the Virginia Preschool Initiative (VPI). Much of this relates to compliance with the Standards of Quality (SOQ) and the Standards of Accreditation (SOA).

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**In 1991, JLARC found that** “it is not clear whether DOE’s current activities are sufficient to ensure compliance with State standards” and “compliance with SOQ and SOA is largely a paper certification process, with no systematic on-site reviews by the State.”

and helps school divisions maintain compliance. However, VDOE primarily supervises divisions by asking them to self-certify whether they comply with state standards. The Code of Virginia directs this self-certification approach in many cases, and the reliance on self-certification is part of a longstanding history at VDOE (sidebar). VDOE’s supervision, though, does not comprehensively identify or address non-compliance and does not fully verify compliance or monitor progress when corrective actions are needed (Table 3-1).

**TABLE 3-1**  
**VDOE is fully meeting some, but not all, criteria for effective supervision**

Criteria	Extent criteria met by VDOE
Collect and report division compliance with <i>all</i> federal and state standards	●
Use an <i>efficient</i> method to collect information about division compliance	●
Provide guidance and assistance to <i>help divisions</i> maintain compliance	●
Periodically conduct <i>independent verification</i> to ensure division compliance	◐
Require <i>corrective actions</i> when needed and <i>monitor progress</i> over time	◐
Collect adequate information to determine compliance	◐
Analyze available information to <i>identify trends and issues</i> needing attention	◐

SOURCE: JLARC staff development of supervision criteria and comparison to VDOE supervision activities.

Divisions are required by statute and regulation to **self-certify** some information and provide a signature attesting to its accuracy. For information submitted by school divisions to VDOE to be considered self-certified, the original submission must be signed by both the local superintendent and the chair of the local school board.

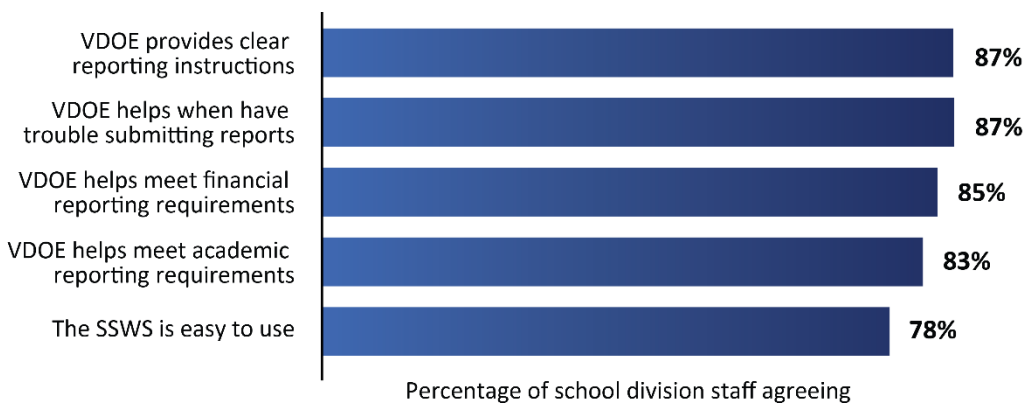
**VDOE fully meets several criteria for effective supervision**

VDOE effectively collects and generally reports information from divisions to fulfill all of the 41 federal and state reporting requirements. The vast majority of required information collection and reporting is overseen by VDOE’s Office of Data Services, which annually publishes the calendar of data collections and communicates with school divisions on a weekly basis to ensure they are aware of upcoming reporting requirements and deadlines. The Data Services team also provides direct support and technical assistance to help divisions successfully submit required reports. Although most required information is reported by VDOE (i.e., published to the VDOE website) in a timely manner, JLARC staff identified three instances in which up-to-date versions of reports were not publicly available. VDOE staff addressed these omissions by uploading the updated reports to their website (sidebar).

Reports that had not been updated on the VDOE website included annual reports on gifted education, wellness and fitness, and school bus accidents.

VDOE efficiently collects required data and information from school divisions, which it is statutorily required to do (sidebar). Data Services staff at VDOE primarily use a web application called the Single Sign-On Web System (SSWS) for school divisions to submit data. The SSWS syncs directly with local school division record systems to pull required student data. This precludes the need for local school division staff to manually format and submit student data to the state. Nearly 80 percent of school divisions indicated that SSWS is easy to use (Figure 3-1).

VDOE and the Board of Education are required by the Code of Virginia to identify opportunities to reduce the administrative burden placed on localities in submitting required reports.

**FIGURE 3-1****School divisions agree that VDOE is efficient and provides guidance for meeting reporting requirements**

SOURCE: JLARC survey of school divisions.

NOTE: Percentages indicate respondents who “agreed” or “strongly agreed” with each statement.

School divisions rated VDOE’s guidance and assistance for reporting compliance with state standards highly. The agency’s assistance for financial and academic reporting requirements was among the most highly rated on JLARC’s survey of school divisions. For example, school division staff agreed that VDOE staff provide clear instructions for submitting reports (87 percent) and help divisions when they need assistance meeting various reporting requirements (87 percent) (Figure 3-1). Some divisions indicated a desire for more detailed front-end training on reporting requirements from VDOE, but both divisions and VDOE leadership repeatedly noted the agency’s commitment to being responsive to divisions’ compliance questions and needs.

VDOE senior leadership, including the superintendent of public instruction and assistant superintendents, described several instances of helping school divisions remain in compliance or become compliant after falling out of compliance. In several of these cases, agency leadership provided individualized support and assistance to school divisions who proactively notified VDOE that the division or a school was at risk of non-compliance with a certain standard. The superintendent and other senior leadership then work with the division or school to bring them back into compliance before the end of the year, when possible. The superintendent maintains a list of these divisions and their ability to maintain compliance throughout the year.

### **VDOE does not fully meet several criteria for effective supervision**

The longstanding approach VDOE has used to supervise school divisions is not comprehensive and has some limitations. The agency independently verifies compliance for some, but not all, standards and monitors implementation of corrective actions for federal standards but does not always do so for state standards. In addition, the broad compliance information requested from divisions does not necessarily encourage divisions to comprehensively assess their compliance with standards. Assessing the

accuracy of self-certified compliance information submitted by school divisions was beyond the scope of this study.

***VDOE independently verifies some, but not all, submissions***

VDOE independently verifies some of the information divisions submit to demonstrate compliance with federal and state law. This is especially true for federally funded programs, such as school nutrition programs and instructional grants in specific areas under ESSA. VDOE also uses the SSWS to verify some school division information. For example, the SSWS is programmed to automatically validate student data to prevent students from being counted in multiple schools or divisions during the same time period, preventing funding from being distributed to multiple divisions for the same student.

Effective supervision requires at least some degree of independent verification that divisions are meeting key compliance requirements, but VDOE does not do this for any of the requirements that use self-certification to demonstrate compliance. These primarily include state requirements, such as all Standards of Quality (SOQ), as well as other key compliance requirements such as standards for health and safety in school facilities. VDOE conducts no audits or periodic site visits to independently verify compliance with these requirements.

***VDOE monitors progress on federal, but not state, corrective actions***

VDOE also monitors whether corrective actions are implemented for federal requirements but typically not for state requirements. For example, if a school division is found to be out of compliance with training requirements for school nutrition staff (e.g., eligibility determination or nutrition planning), the Office of School Nutrition Programs ensures that the school divisions have taken the required corrective action steps and provides additional technical assistance or follow-up training to better equip the school division to be in full compliance in the future.

For the SOQs and other state standards, VDOE does little to proactively assess whether corrective actions to address noncompliance are being implemented. VDOE staff indicated that they ensure school divisions submit any required corrective action plans. However, VDOE does not monitor whether corrective actions are carried out in a timely or effective manner. As a result, VDOE does not know whether school divisions have effectively implemented corrective actions until routine reporting requirements are submitted the following year.

**Information collected is not always adequate enough to determine compliance**

Some of VDOE’s compliance forms are too broad to collect information that is adequate enough to determine compliance. Several of these forms ask divisions to self-certify compliance across multiple standards for all schools in a division. For example, divisions are asked to certify compliance with nine categories of accreditation across all schools in the division with a single “yes” or “no” (Exhibit 3-1). Furthermore, each one of these nine categories can include many separate standards schools need to meet. For example, just one category on the accreditation form (e.g., item 6 in Exhibit 3-1) includes compliance with the statewide building code and all other school-related facility standards. Not only would it be helpful to require separate certifications for each of the nine categories, but it could be more informative to ask divisions to certify compliance with some of the standards within each of the broad categories (e.g., compliance with statewide building code, accessibility, and fire and emergency planning). Requiring divisions to indicate compliance with more precision would provide more detailed and useful information when monitoring compliance. It also would likely better ensure that school divisions are fully and critically considering compliance with each standard at their schools.

**EXHIBIT 3-1**

**Divisions self-certify whether *all* schools meet nine different conditions for accreditation**

Question	Answer
<p>1. Prerequisite Conditions for Accreditation - Section 8VAC20-131-390 of the Regulations Establishing Standards for Accrediting Public Schools in Virginia requires the principal of each new or existing school and the division superintendent to annually document and report to VDOE the following (formerly referred to as "preaccreditation requirements"):</p> <p>(1) The division's promotion and retention policies have been developed in accordance with the requirements of 8VAC20-131-30; (2) Compliance with the requirements to offer courses that shall allow students to complete the graduation requirements in 8VAC20-131-50 and 8VAC20-131-51, as applicable; (3) The school and school division's ability to offer the instructional program prescribed in 8VAC20-131-70 through 8VAC20-131-100; (4) The school and school division's offering of history and social science and English, to include writing, as prescribed in 8VAC20-131-70(C); (5) Compliance with the leadership and staffing requirements of 8VAC20-131-210 through 8VAC20-131-240; (6) Compliance with the facilities and safety provisions of 8VAC20-131-260; (7) Compliance with the parental notification provisions of 8VAC20-131-270(B); (8) The Standards of Learning have been fully incorporated into the school division's curriculum in all accreditation-eligible schools, and the SOL material is being taught to all students eligible to take the SOL tests; (9) A comprehensive school plan has been prepared and implemented as required by the SOQ, in conjunction with the long-range comprehensive plan of the division. Such plan shall be available to students, parents, staff, and the public. Each school plan shall be evaluated as part of the development of the next plan. Schools may use other plans to satisfy this requirement with prior written approval from VDOE.</p> <p>The superintendent certifies compliance with these provisions for each school in the school division.</p> <p>Yes - please enter "Not Applicable" in the box below.</p> <p>No - please list each school and the requirements not met per school in the box below.</p>	<p>Y</p> <p>N</p>

SOURCE: Excerpt of self-certification report submitted by a division to VDOE.

**VDOE uses compliance information to conduct some analysis but could do more to identify trends and issues needing attention**

VDOE is uniquely positioned to analyze the information it collects from school divisions to improve compliance with federal and state standards and to inform state educational policies. VDOE is the only entity that collects information about educational requirements, quality, and outcomes across the state and over time.

VDOE does conduct some useful analysis with the information it collects from school divisions. For example, VDOE's School Quality Profiles present key data about school quality, climate, and performance in a way that is easy for the public to understand. The site contains data visualizations and allows for quick year-over-year comparisons at the school and division level as required by the Code of Virginia. The Board of Education's annual report also includes useful information and analysis produced by VDOE. For example, a recent report highlighted the growing proportion of minority students and students living in poverty who do not perform proficiently on national literacy assessments. This analysis was used by the board to explain why the SOQs needed to allocate more resources to certain schools.

However, VDOE can do more to analyze the information it already collects from school divisions. For example, VDOE could analyze its information to identify the Standards of Quality (SOQ) or facilities standards most frequently not met by schools or school divisions. Several education stakeholder groups noted that VDOE could do more analysis of standards related to student equity (e.g., how well divisions comply with each standard for students of different races, levels of English proficiency, and disability status).

VDOE leadership and other staff indicate that a key reason that VDOE does not conduct and publish additional analysis of school division data is limited capacity to do so. VDOE's Office of Research is staffed by a director, a project coordinator, and one data analyst. A core responsibility of this office is coordinating with higher education institutions using Virginia educational data for their own research, which requires a substantial amount of the director's time. Numerous stakeholders, including representatives of advocacy groups and the Board of Education, noted that although VDOE's research office is qualified and effective, it commonly experiences backlogs with its ongoing work and competing priorities for additional work. As a result, the office has limited capacity to engage in the additional, proactive, customized research and analysis that could better inform the supervision of the educational system conducted by VDOE and the board.

### **VDOE should conduct a pilot program using a more comprehensive and effective supervisory approach for a subset of key standards**

Given the substantial amount of funding the state provides to the state's public education system, the extensive standards schools must comply with, and the importance of providing a quality education for each child, consideration should be given to strengthening VDOE's supervision of school divisions. More comprehensive and effective state supervision for a subset of key standards should help to ensure that schools are meeting these standards that are essential to providing students with a quality education. For example:

- More detailed reporting by divisions and independent verification by VDOE may help to better identify noncompliance than reliance on broad self-certification across standards.



- More consistent monitoring of divisions' implementation of corrective action plans could help to determine whether continued noncompliance is due to ineffective plans or poor implementation of them.
- Additional analysis of compliance information provided by divisions may allow VDOE to better identify causal or associated factors that explain why divisions are unable to comply.

Establishing a temporary pilot program to assess the value of permanently implementing a more comprehensive supervisory approach is a reasonable, incremental step beyond VDOE's current approach. Reducing reliance on self-certification and instituting more independent verification would be a substantial change for agency staff and divisions. The pilot would allow VDOE to determine whether the value of a more comprehensive supervisory approach is worth the additional cost and fundamental change required to permanently implement it.

The General Assembly should direct VDOE to design and implement a pilot program using more comprehensive supervision for a subset of key state standards. The General Assembly could specify the standards (such as those related to compliance with staffing ratios or facility conditions) or allow VDOE to consult with the Board of Education to determine which standards would most benefit from enhanced supervision. The primary goals of the program would be to determine the value of independent verification of standards, monitoring of corrective actions, and reporting of more comprehensive information regarding compliance.

### **RECOMMENDATION 3**

The General Assembly may wish to consider including language in the Appropriation Act directing the Virginia Department of Education to implement a pilot program to more comprehensively supervise school division compliance with a subset of key standards by requiring (i) the submission of more comprehensive compliance information, (ii) selective independent verification of compliance, (iii) monitoring of corrective action implementation, and (iv) analysis of compliance trends and issues. The department should conduct the pilot program during the 2021–2022 school year and submit a report on the results to the Board of Education and House Education and Appropriations committees and Senate Education and Health and Finance and Appropriations committees by November 30, 2022.

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According to VDOE leadership, additional audit and compliance staff would be needed to conduct additional compliance verification and corrective action monitoring. VDOE would likely need one to two new staff to design and manage implementation of the pilot supervision program. Because VDOE's longstanding supervision approach has not been comprehensive, VDOE could temporarily hire an experienced analyst from outside the agency to design the pilot without regard to how VDOE currently supervises divisions. The new staff should have strong analytical capabilities and experience with education oversight and local school division operations.

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**Policy options for consideration.** Staff typically propose policy options rather than make recommendations when (i) the action is a policy judgment best made by elected officials—especially the General Assembly, (ii) evidence suggests action could potentially be beneficial, or (iii) a report finding could be addressed in multiple ways.

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**Divisions cited several areas of needed state support that are largely outside of VDOE's control.** These included inadequate broadband in rural school divisions, insufficient funding for school facility design and construction, and lack of flexibility in licensing requirements for certain categories of non-instructional staff.

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### **POLICY OPTION 1**

The General Assembly could appropriate additional funding for up to two new staff positions to design and implement a pilot program for more comprehensive supervision of a subset of key state education standards.

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## **VDOE generally provides adequate support and assistance but could strengthen some areas**

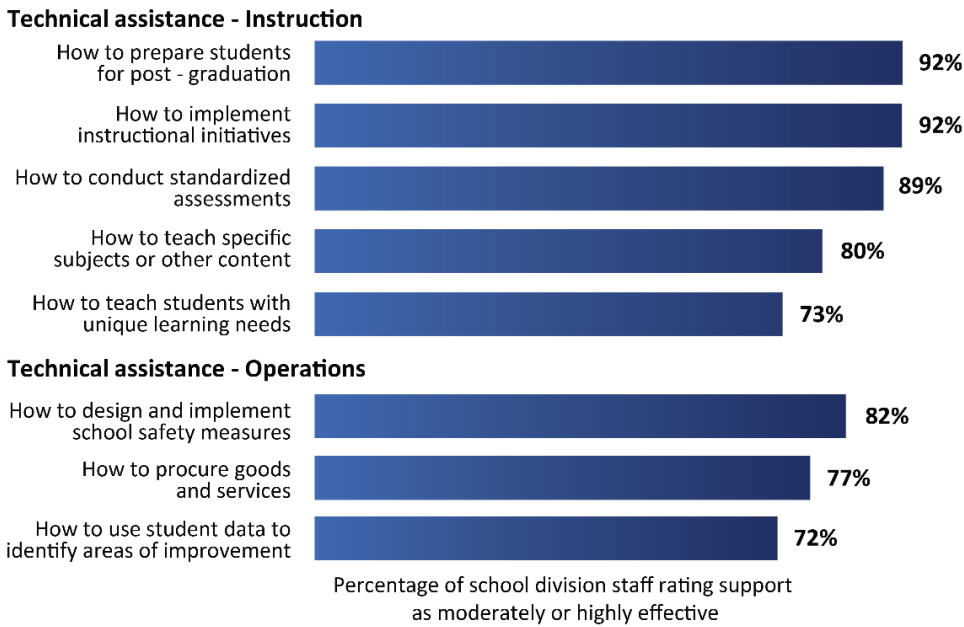
VDOE provides support and technical assistance to school and school divisions for a wide variety of instructional and non-instructional areas. For example, VDOE provides assistance in curriculum development, student assessment, school safety, and facilities design and management. VDOE's support and technical assistance comes in various forms. Some is proactively shared with school divisions through distributions, such as weekly emails. Other VDOE support and assistance is provided when requested by school division staff. (See Appendix G for a list of support and assistance provided by each office at VDOE.)

### **School divisions are generally satisfied with support and technical assistance provided by VDOE**

The vast majority of school divisions are satisfied with the overall support and technical assistance provided by VDOE, according to the survey of division staff. Almost every division responding to the survey agreed that VDOE's support aligns with both their instructional and non-instructional needs.

Divisions also generally agreed that VDOE provided effective technical assistance and support in several specific instructional and school operational areas. For example, 92 percent of divisions agreed that VDOE provides effective technical assistance to help prepare students for post-graduation and to implement instructional initiatives (Figure 3-2). Eighty-nine percent agreed that VDOE provided adequate assistance for implementing standardized testing. VDOE's support for helping school divisions teach certain content areas and students with unique learning needs were also rated positively. Ninety-six percent agreed that VDOE helps them use student data to identify improvement needs. The majority of school divisions also gave positive responses to VDOE's support in the areas of school safety and school procurement (sidebar).

**FIGURE 3-2**  
**Most divisions agree VDOE provides effective support and technical assistance**



SOURCE: JLARC survey of local school division staff.

NOTE: Percentages represent respondents who indicated each type of support was “moderately effective” or “highly effective.” “Do not know” responses are excluded.

### **Amid division concerns about virtual learning, VDOE has taken steps to enhance its support**

School division staff indicated that VDOE’s support for virtual learning and instructional technology was less effective than other types of support it provides. Only half of divisions indicated that VDOE’s support for virtual learning and instructional technology was moderately or highly effective, with 35 percent rating it slightly effective and 14 percent rating it as not at all effective. School division staff’s primary concerns included access to virtual learning resources and training for teachers and staff to use those resources. Much of the concern stemmed from the increased reliance on virtual learning due to COVID-19 school closures, according to division staff participating in a JLARC focus group.

VDOE has substantially increased virtual learning content and availability in the past year. This was primarily achieved through enhancements to Virtual Virginia, the state’s online learning management system (sidebar), in response to the need for virtual instruction during the COVID-19 pandemic. First, Virtual Virginia course offerings expanded from mostly high school to a full suite of K–12 core courses (sidebar). This includes newly created content for all core classes in grades K–8, as well as some electives, such as middle school physical education, health, and computer science. Furthermore, VDOE has expanded the Virtual Virginia “outreach program” for the 2020–21 academic year, which gives full access to the Virtual Virginia platform and course content to any school teacher at a Virginia public school. VDOE has increased

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**A learning management system** provides schools and students with a digital learning environment, such as coursework and tracking tools, needed for providing virtual learning.

Virtual Virginia is an online learning management system, hosted by Charlotte County Public Schools, that is available to Virginia school divisions. Charlotte County employees create course content and teach students enrolled in Virtual Virginia classes. However, all coursework and materials are intellectual property of VDOE.

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Virtual Virginia’s availability has also been expanded to allow schools to increase their number of **student enrollments into Virtual Virginia classrooms** (i.e. where a Virtual Virginia instructor functions as the teacher of record for student).

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virtual instruction professional development, including sessions specifically to assist with the use of Virtual Virginia. Finally, VDOE launched GoOpenVA, an online library of open education resources such as lesson plans and classroom activities for teachers to access and share (launched in January 2020).

The Virtual Virginia outreach program is the most substantial form of additional support for virtual learning being provided by the state. Under the outreach program, any public school teacher in Virginia can use Virtual Virginia’s online curriculum and course materials as their own (a service that had not been made available before). These course materials have already been created and fully meet Virginia’s standards of learning. Furthermore, teachers tailor Virtual Virginia content to best suit their needs. The outreach program was implemented in the spring of 2020 and greatly expanded in August in anticipation of the 2020–21 academic year. VDOE staff report that teachers from 126 of Virginia’s 132 divisions had already created more than 22,000 courses using the material, since it was made available to school divisions.

School divisions also asked for more help working around broadband limitations in rural parts of the state. Staff in rural divisions often expressed frustration with the lack of options for students in areas that lack access to broadband connectivity. In response, Virtual Virginia staff are developing online learning materials that use less bandwidth by not requiring students and teachers to interact in real time (sidebar).

School division staff were still cautious in assessing the effectiveness of VDOE’s efforts. In response to a survey of school divisions in August 2020, about half of divisions agreed that VDOE has provided them with sufficient support to expand virtual instruction for the 2020–21 academic year (sidebar). However, approximately one-third of divisions neither agreed nor disagreed with the sufficiency of VDOE’s support in this area, which likely indicates that many divisions were waiting for the new school year before assessing the effectiveness of the state’s efforts.

Finally, despite the substantial increase in guidance and the availability of free virtual content from VDOE, schools and families have experienced challenges related to virtual learning during the early portion of the 2020–21 school year. Negative media coverage and accounts from families noted challenges such as the inability to access their child’s virtual learning platform, confusing or redundant log-in information, and a lack of expertise from teachers in delivering virtual instruction. While these problems are generally outside VDOE’s control, they have nonetheless created some negative public perceptions of virtual learning. The JLARC subcommittee on study selection is currently considering a future study on virtual learning in Virginia.

### **VDOE could more effectively communicate available support and resources**

VDOE offers potentially useful technical assistance and resources but could improve communication to school divisions about them. This is most clearly evidenced by the agency website, a lack of a centralized menu of available support resources, lack of a

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**Asynchronous course-work** is a discrete unit of learning material that can be downloaded to a computer and then accessed and completed without an internet connection. Materials that are completed in an asynchronous manner can then be submitted back to the school once an internet connection is available or a physical data transfer (e.g. exchange of a flash drive) becomes available.

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In August 2020, JLARC staff conducted a **survey of school division staff regarding VDOE’s guidance and support in response to the COVID-19 pandemic**. Fifty-seven Virginia school divisions responded to the survey (Appendix C).

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central clearinghouse for sharing of useful information, and the technical assistance e-mails (and other resources) that are distributed to school divisions and their staff.

***VDOE's website is not fully useful but is in the process of being redesigned***

VDOE's website includes a tremendous amount of information, but some of it is out-of-date, and the website is difficult to navigate. A recent analysis (conducted by VDOE) found that the website contained approximately 11,000 web pages and thousands of documents (18,000 PDFs, 7,000 Microsoft Word documents, 1,000 Microsoft PowerPoint presentations, and 1,000 Microsoft Excel spreadsheets).

Much of the website's information is out of date. For example, guidelines for state-sponsored teacher mentorship programs are dated June 2000, and information to help school divisions create their School Nutrition Programs Annual Agreement is dated 2011. School division staff and VDOE staff noted their frustration with accessing information on the website. VDOE staff members said: "Our website is too large and therefore does not serve the public well," and "The VDOE website is not user-friendly, and it's hard to find information."

VDOE is currently redesigning the website through the help of a third-party contractor. Agency leadership anticipates this will help organize content and improve staff's capacity to manage updates. However, during and after the redesign, VDOE will remain responsible for managing website content. To best ensure the website redesign process improves the website's usefulness and includes accurate and up-to-date information, VDOE should periodically review content to ensure it is current, relevant, accessible, and intuitively organized. VDOE could do so by requiring staff from each office to periodically review whether the sections of the website for which their office is responsible are accurate, concise, and up-to-date; then suggest changes as needed. Sharing the responsibility of reviewing the website across applicable office staff could help to relieve the burden on the agency's single web services manager, who is primarily responsible for maintaining the VDOE website.

**RECOMMENDATION 4**

The Virginia Department of Education should periodically review its website to ensure the content is current, relevant, accessible, and intuitively organized.

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***Not all divisions are aware of the full range of VDOE's support and technical assistance resources***

Some school divisions indicated that they were not fully aware of the full range of support and technical assistance provided by VDOE. One division superintendent stated: "This is my ninth year in the superintendency, and I am unclear about the services that the VDOE provides." Another school division superintendent said: "I would like to see a list of the types of support available from VDOE. I am aware of some but probably not all."

VDOE does not currently offer a menu or comprehensive list of support resources and professional development opportunities. Departments of education in other states provide a more comprehensive or centralized source that school divisions can use to learn about and access support resources and events. For example, Georgia's Department of Education provides a catalog of trainings available on their online professional learning platform as well as an up-to-date listing of upcoming events and conferences for teachers, administrators, and staff. One division superintendent with recent experience in a neighboring state was surprised, upon coming to Virginia, that VDOE did not maintain a list of support services and professional development opportunities.

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A professional development calendar currently exists on VDOE's website. However, it includes only information regarding certain types of support and does not appear to be fully updated.

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VDOE should provide divisions with a list of the agency's available technical assistance and support services, including contacts for each area so that school and division staff can readily access the support listed. The agency should also provide a comprehensive and up-to-date calendar of professional development events (sidebar).

#### **RECOMMENDATION 5**

The Virginia Department of Education should compile and provide school divisions with a list of support resources and relevant staff contacts and maintain a calendar of professional development opportunities and webinars.

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#### ***VDOE does not share all information it collects that may be useful for divisions***

VDOE collects information from divisions that may be helpful to other divisions, especially those with comparatively less administrative capacity. For example, VDOE collects school construction and renovation plans and specifications. Divisions seeking to build or renovate new facilities can obtain this information on a CD if they request it. Division staff indicated, though, it would be helpful for certain staff with the appropriate security authorizations to have access (using a login and password if needed to avoid potential security concerns). VDOE could require each office within the agency to identify information that it already collects from school divisions, but does not share publicly, that could be useful to other school divisions. VDOE should then make this information available through a clearinghouse website that divisions can readily access.

#### **RECOMMENDATION 6**

The Virginia Department of Education should identify any information it collects from school divisions that other divisions may find useful, and that is not already shared, and make that information available to all divisions.

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#### ***Resources emailed to teachers and other school staff could be synthesized to ensure they are useful***

VDOE emails available resources to school division staff but often presents these resources as a long list of links with minimal synthesis or context. School divisions

commonly expressed frustration with the format, with one division staff stating: “VDOE does an outstanding job sending resources by links, but it’s overwhelming. More is not always better.” For example, recent issues of TeacherDirect (sidebar) included 25 or more links, some of which were listed twice. Topics covered in TeacherDirect mailings varied widely, from statewide revised suicide prevention guidelines to German virtual exchange opportunities. Topics and links provided in the emails were not well organized or grouped by content area.

VDOE leadership indicated that in recent years school divisions had noted receiving too many communications from VDOE, so the agency responded by consolidating more information into fewer emails. While the present strategy addresses concerns about the number of VDOE’s overall correspondences, it should not preclude VDOE from more strategically prioritizing, organizing, and synthesizing the information it provides.

#### **RECOMMENDATION 7**

The Virginia Department of Education should take steps to prioritize, synthesize, and organize the informational resources it emails to schools and divisions.

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Several VDOE offices maintain and publish regular email updates to their own subscriber lists. For example, TeacherDirect is a weekly email newsletter sent by VDOE to classroom teachers.

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# 4 Offices of School Quality, Teacher Education, & Teacher Licensure

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JLARC analysis, and surveys of school division and VDOE staff, identified three VDOE offices where more effective operations would most substantially help some or all school divisions. These offices are the

- Office of School Quality, which works with low-performing schools to help them improve over time;
- Office of Teacher Education, which has a variety of responsibilities related to teacher education, recruitment, and retention; and
- Office of Licensure, which reviews teacher credentials and awards licenses to certify teachers in Virginia.

Each of these offices conducts essential functions for the state’s educational system, therefore improving or enhancing their operations would provide the greatest benefit to the state (as compared to other VDOE functions). Two of these functions likely need additional resources to enhance operations. The agency’s highest priority should be strengthening the Office of School Quality to improve assistance to low-performing schools to help ensure that every child in Virginia has access to a quality education. Separately from this review, VDOE has also identified school quality and teacher recruitment and retention as agency priorities in its strategic plan through 2025.

## School improvement program needs to be strengthened and adequate resources allocated

Improving performance in low-performing schools is inherently challenging. Factors affecting student performance that are outside schools’ control include community characteristics such as local unemployment, crime, violence, and broadband internet access; family factors such as household income and the presence or absence of stable, nurturing relationships with caregivers; and structural factors such as state and school board policies and funding levels. As stated in the 2014 JLARC report *Low Performing Schools in Urban High Poverty Communities*: “The influence of factors beyond the control of schools is part of what makes achieving sustained improvement at schools such a challenge.”

VDOE’s Office of School Quality (OSQ) is responsible for the state’s federally required role in school improvement. As part of the federal Every Student Succeeds Act (ESSA), states are required to identify schools needing additional support based on school-wide performance or performance within specific student groups, such as by race/ethnicity or disability status (sidebar). In addition, state law also requires certain

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Under the federal Every Student Succeeds Act (ESSA), the **lowest-performing 5 percent of schools receiving Title I funds** receive additional federal funding to support research-based interventions in areas of underperformance. Each state, as part of its ESSA plan, must detail how it will determine which schools will receive federal school improvement funding.

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schools to receive improvement-related support from VDOE based on performance in the state’s accreditation system.

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The categories within the 2017 accreditation system are academic achievement and growth for all students in English, math, and science; achievement gaps in English and math; graduation rates; dropout rates; and chronic absenteeism.

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Schools are identified to participate in VDOE’s school improvement process based on their performance on various indicators in the state’s accreditation system. The accreditation system, which was substantially redesigned in 2017 and implemented for the 2018–19 school year, has three levels of accreditation across eight categories (sidebar) (Appendix H). Any school scoring below the top level in one or more categories is identified for OSQ support. The current accreditation system takes a broader view of school quality by accounting for growth (improvement within the same level of accreditation) and other factors such as graduation, dropout, and absenteeism rates. OSQ staff must help low-performing schools address a broader array of performance challenges than under the previous accreditation system. The accreditation system prior to 2017 more narrowly focused on SOL test results.

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Academic review is OSQ’s primary mechanism for working with underperforming schools. Academic review includes identifying factors contributing to underperformance and implementing strategies to address those factors.

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A substantial number of schools are required to work with OSQ. For the 2019–20 school year, 262 of Virginia’s 1,825 public schools (14 percent) were required to participate in VDOE’s academic review process based on their accreditation ratings from the previous school year (sidebar). That large number of schools is partially a result of the expanded list of factors considered in the state’s new accreditation system. Appendix H includes more information related to academic review and the challenges and process of improving low-performing schools.

In addition to the academic review process, OSQ also implements the memoranda of understanding (MOUs) between the Board of Education and certain school divisions with persistent performance challenges. The office also implements the continuous improvement planning process that *all* schools participate in. As of August 2020, five divisions were under an existing or pending MOU with the board.

### **VDOE is changing its school improvement model based on best practices and school divisions’ feedback**

VDOE reached the conclusion last year that its longstanding approach to school improvement could be redesigned to better allow schools to facilitate and sustain progress. Through school divisions’ feedback, VDOE had determined that OSQ’s academic review model was largely a compliance-based paperwork exercise. The compliance focus often precluded OSQ staff from offering the mentoring and coaching, as well as implementing other strategies, needed to build the capacity of school staff to effect change—an important component of sustained improvement.

OSQ is currently developing and implementing a new academic review model. The new model builds on existing practices but places far greater emphasis on customized mentoring and coaching provided to staff, especially school leadership. OSQ piloted this new model during January and February 2020 with schools in four divisions: Henrico, Portsmouth, Page, and Brunswick. OSQ has been adjusting the model based on

feedback from the pilot divisions, but the COVID-19 pandemic has precluded continued implementation of the new model.

***Previous model was primarily a compliance exercise that did not build school leadership capacity***

JLARC’s review confirmed the need to enhance the academic review model. OSQ management staff, a survey of OSQ staff, and school division staff (via survey and focus group interviews) confirmed problems with the previous school improvement model.

School divisions emphasized that the prior academic review model, in practice, was largely a compliance exercise that often did not effectively facilitate improvement. Only half of divisions that had worked with OSQ agreed that the office effectively helped them improve their performance through the academic review process. One school division leader shared: “The process was just jumping through hoops. It has not been helpful.” Another noted that “it became such a compliance protocol and had an impact on the morale.” Similarly, one said: “DOE staff often just insisted on meeting timelines and requiring paperwork be submitted in a particular format.”

OSQ staff also identified shortcomings with the academic review model and their office’s work. In a survey response, an OSQ staff member said “if we are to provide true support and not just check a box of compliance, we need people in the field helping to build the leadership capacity of building administrators and central office staff.” Other OSQ staff shared that the technical assistance provided by the office was “*not* differentiated to support specific needs of schools and divisions,” and another in reference to the process stated: “it may not be the right kind of assistance.”

One of the previous model’s most negative attributes was its heavy emphasis on aligning teacher lesson plans with the Standards of Learning. School divisions consistently described frustrations with the rigid process that focused on lesson plans. Schools under academic review frequently became “stuck” in the earliest stages of the process (lesson planning) and were unable to even attempt implementing other types of OSQ guidance. One OSQ staff noted: “It is accurate that schools often got stuck...There was a rubric, and you got scored. The tool had a stop sign in it; you couldn’t even continue with the rest of the review because you got stuck if you didn’t get a high enough score on a certain step in the process.” This mechanism inefficiently used teachers’ time and lowered their morale. For example, school division staff shared:

Teachers felt that they could do nothing right; they never get past the lesson plan level of the review. They couldn’t get the wording in lesson plans that DOE wanted, so even if the classroom lesson was going well, they didn’t get credit because the plan wasn’t detailed enough.

Although ensuring instruction is aligned with learning standards *is* an educational best practice, it is not one of the primary methods considered especially effective to help

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JLARC’s school division survey asked questions regarding the Office of School Quality to divisions with a certain number or proportion of their schools participating in the school improvement program (i.e., academic review).

JLARC staff conducted a series of **virtual focus groups with school divisions** to follow up on responses to the division survey. In total, **21 divisions participated in five focus groups** held during June 2020 on topics including academic review overseen by VDOE’s Office of School Quality. (Appendix B)

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improve low-performing schools. Research increasingly shows that focusing on classroom activities alone (such as lesson planning) is not adequate for school improvement. Once a school has an effective principal that can provide teachers with needed support (sidebar), then a focus on skills such as lesson planning can contribute to improvement.

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According to the Institute of Education Sciences, “It is clear that **effective school leadership is a necessary component of any successful turnaround effort.** Effective school turnaround efforts center on a **strong leader who builds and maintains momentum for rapid school improvement.**”

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***Despite limitations of previous model, some schools made progress***

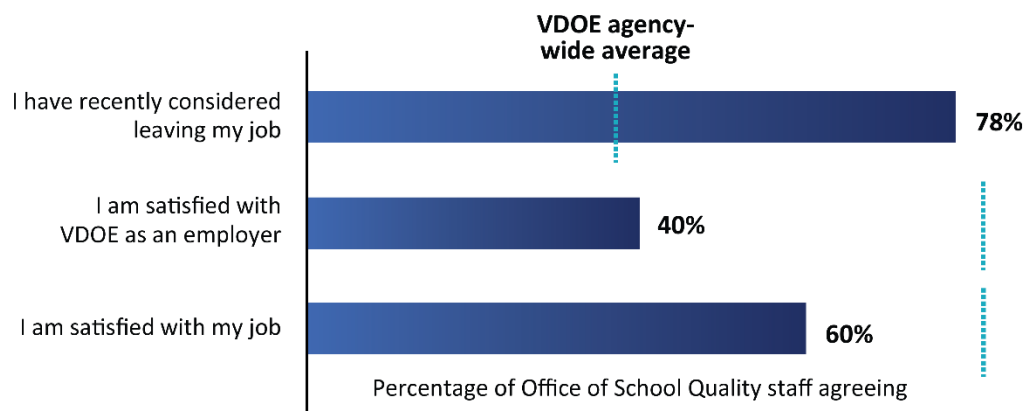
VDOE leadership emphasized that despite the prior academic review model’s shortcomings, some schools improved their accreditation ratings. Overall, the number of schools that were less than fully accredited remained about the same in FY19 and FY20, at 131 and 137 schools respectively (equal to about 7.5 percent of all schools in Virginia). However, within the group certain schools made progress. For example, from FY19 to FY20:

- 62 of 81 schools (71 percent) with low math ratings improved at least one level in math academic achievement, and
- 136 of 212 schools (64 percent) with chronic absenteeism improved by at least one accreditation level.

***Previous model contributed to OSQ staff dissatisfaction***

The previous academic review model was also problematic for OSQ staff. Staff in OSQ were among the most dissatisfied in the entire agency with both their jobs and working at VDOE generally. Moreover, they were more than twice as likely to report considering leaving their jobs during the first half of 2020 (Figure 4-1). School division staff also noticed problems, with one observing: “The academic review process was cumbersome for everyone including DOE staff.”

**FIGURE 4-1**  
**Office of School Quality staff were more likely to consider leaving their job and less likely to be satisfied with VDOE and their job**



SOURCE: JLARC analysis of VDOE staff survey data.

## Successful implementation of new school improvement model will require effective transition planning and additional OSQ staffing

OSQ likely does not have enough staff to effectively conduct the new customized academic review model. Delivering the customized coaching and mentoring to even just the principal (let alone other school leadership staff such as assistant principals) at all 262 schools currently in the school improvement program will be challenging and time consuming. This is especially true because the revised model gives schools greater flexibility to choose the interventions they use to achieve school improvement (sidebar).

The office was likely understaffed even under the previous model. OSQ's lack of resources was cited repeatedly by both school division and OSQ staff as a main reason for the previous improvement model's ineffectiveness. For example, one OSQ staff member shared: "For us to reasonably impact the thousands of classrooms in Virginia is not necessarily something we can do." Others stated: "My office does not have the staffing levels needed to effectively perform mission-critical functions" and that it is "difficult to competently meet the needs of schools and divisions with the current number of positions." Likewise, only 34 percent of school divisions that had worked with OSQ agreed that VDOE had sufficient staff to provide effective support for low-performing schools. VDOE leadership indicated that staffing resource constraints were exacerbated in recent years as a result of the revised accreditation system, which requires office staff to help low-performing schools improve on more measurements such as achievement gaps and chronic absenteeism.

Without additional staffing, each of OSQ's 12 staff would be responsible for providing individualized assistance to 22 separate schools (based on 262 schools in FY20). In a typical work year, this equates to a maximum of about two weeks of staff time available for each of their 22 assigned schools (sidebar). In that time, OSQ staff would need to conduct the following activities for each school:

- learn about the unique challenges and needs affecting student performance;
- help school leaders choose and implement the most effective school improvement strategies;
- continuously monitor the implementation of selected strategies;
- provide feedback, informed by direct observation and other monitoring (e.g., review of documents submitted by schools as evidence of progress), that school leaders can use to improve implementation of their chosen strategies; and
- assess progress toward chosen goals.

Virginia allocates fewer state resources to school improvement, both in terms of staffing and spending, than many neighboring states. OSQ has fewer staff (12) than Florida (28), North Carolina (32), Georgia (46), and Kentucky (73). Tennessee has fewer staff

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**Current OSQ staff** include a director, associate director, eight specialists, and two consultants.

**The revised OSQ support model (currently in a pilot phase)** allows schools to choose among options for creating and sustaining the changes needed to improve student performance. This individualized approach is designed to better meet schools' needs, in contrast to the previous model that generally required all schools to undergo the same review process and use the same guidance tools from OSQ.

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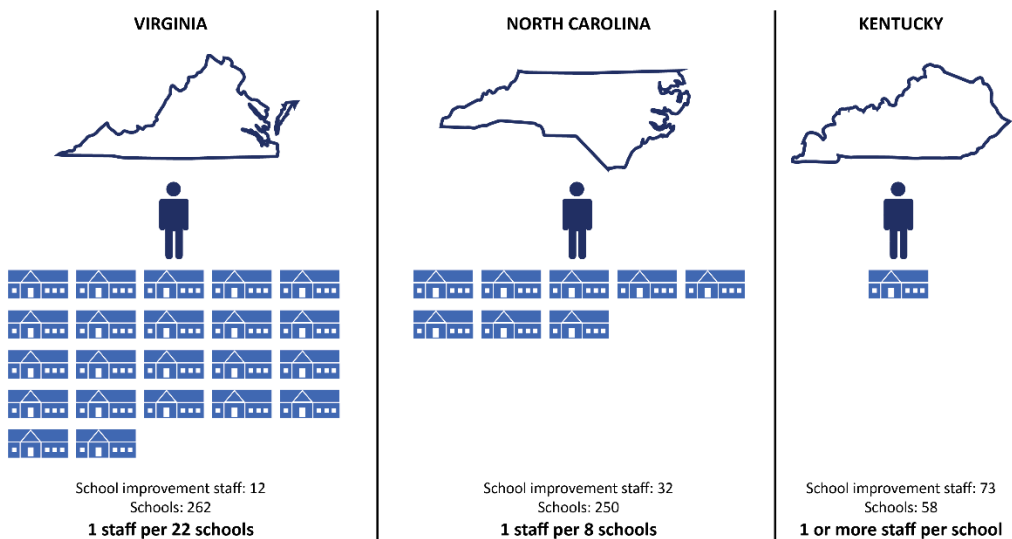
**OSQ staff** are also responsible for implementing the state's continuous improvement planning process, which requires *all* schools to construct and submit a plan for ongoing school improvement, regardless of their accreditation status.

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Tennessee has fewer staff than Virginia devoted to school improvement but instead provides schools \$4.9 million in competitive school improvement grants to aid their improvement efforts.

but instead sends additional state funding directly to schools (sidebar). Virginia’s ratio of 22 schools in need of improvement per staff member dedicated to school improvement is much higher than both North Carolina’s and Kentucky’s school-to-staff ratios (Figure 4-2). Kentucky’s ratio is substantially lower than Virginia’s in part because it requires state staff to be physically on site at each school.

**FIGURE 4-2**  
**VDOE’s Office of School Quality has more schools per staff in need of improvement than comparable offices in neighboring states**



SOURCE: JLARC staff analysis of state education agency websites and correspondence with staff from other states.  
 NOTE: Data on the number of students, schools, and school improvement staff within each SEA reflects 2019–20 school year.

VDOE should develop and make public a plan for how it will transition to the new academic review model. The plan should guide its transition to the new model and estimate how many additional OSQ staff are needed to be fully effective in supporting schools in the improvement program.

A transition plan becomes even more important because of the COVID-19 pandemic. OSQ’s full evaluation of its pilot program from earlier this year was delayed by the closing of schools at the end of the 2019–20 academic year and the complex re-opening for 2020–21. In addition, many of the 262 schools in the state’s school improvement program likely will face additional challenges adapting to virtual instruction and remediating students who have struggled without in-person instruction.

**RECOMMENDATION 8**

The Virginia Department of Education should develop and implement a plan to guide its transition to a new school improvement model and estimate the additional staffing required to effectively implement the new model. The plan should be presented to the Board of Education and transmitted to the House Education and Appropriations committees and to the Senate Education and Health and Finance and Appropriations committees, no later than June 30, 2021.

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The General Assembly should provide VDOE additional funding, as it becomes available, to facilitate a more effective school improvement process. Even modest increases in OSQ staffing would decrease the number of schools each staff member was responsible for, giving them more time with each school. For example, funding five additional staff (approximately \$600,000) would reduce the number of schools per staff from 22 to 15 and allow each staff member to spend a total of three weeks (rather than two) with each school (Table 4-1). Increasing OSQ staffing to the level of North Carolina's school improvement office (32 staff) would require 20 additional staff and would reduce the number of schools per staff to eight, allowing each staff member to spend six weeks per school. This would cost an additional \$2.5 million annually. However, \$2.5 million would equate to just \$9,500 of additional OSQ spending per school served by the office and represent less than 2.5 percent of the total VDOE agency budget.

**TABLE 4-1**  
**Additional staffing would allow OSQ staff to spend more time with each school**

	Current	Potential staffing increases			
		+5	+10	+15	+20
Staff	12	+5	+10	+15	+20
Schools per staff member	22	15	12	10	8
Weeks of staff time per school	2	3	4	5	6
Total staffing costs	~\$2.0M	\$2.6M	\$3.4M	\$3.9M	\$4.5M

NOTE: Assumes 48 working weeks per year and 262 schools. Assumes average annual salary of \$80,000 for each additional OSQ staff, which equates to \$125,000 in total personnel and non-personnel expenses per staff.

**RECOMMENDATION 9**

The General Assembly may wish to consider appropriating additional funding for new staff positions in the Virginia Department of Education's Office of School Quality to strengthen its work with school divisions in the school improvement program.

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VDOE could also change the school improvement model to better align the workload with staffing resources. For example, OSQ could reduce the number of schools that receive intensive support and coaching. To do so, OSQ could group schools identified for academic review into various tiers based on school performance, with lower-performing schools receiving more intensive support. Alternatively, OSQ could implement its model over a longer period of time (currently one year).

## Code of Virginia should require VDOE to consistently implement an effective school improvement program over the long term

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Title 22.1: Education of the Code of Virginia includes individual chapters that grant statutory responsibilities to the Board of Education, the superintendent of public instruction, and several related to local school boards and local divisions. Because there is no chapter specifically related to the Department of Education, JLARC staff are recommending adding statutory direction regarding the state's school improvement program to the existing chapter relating to the superintendent of public instruction.

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The Code of Virginia should identify school improvement as a priority for VDOE to ensure a long-term focus on improving low-performing schools that endures leadership changes. There is currently no express direction in the Code of Virginia to the Board of Education or the superintendent of public instruction to develop and implement an effective school improvement program. While current VDOE leadership is making efforts to enhance the school improvement process, the lack of clear statutory directive creates the risk that the school improvement function may not always remain a high priority of agency leadership. Likewise, there is no statutory directive to measure or evaluate the effectiveness of OSQ's school improvement program. Ongoing evaluation of the school improvement program is important to ensure additional resources are used effectively and students in these schools ultimately receive a quality education.

The General Assembly should amend the Code of Virginia to expressly direct the superintendent to develop, implement, and assess the effectiveness of VDOE's school improvement program (sidebar). Effectiveness of OSQ should *not* be assessed solely by counting how many schools move in and out of school improvement each year because of the many factors that contribute to changes in student performance. Rather, OSQ should identify additional measures to evaluate the effectiveness of services provided—such as the proportion of schools that successfully implemented or completed elements of the academic review process—and determine whether any changes are needed. The superintendent should also be required to report annually to the Board of Education on the effectiveness of the program.

### RECOMMENDATION 10

The General Assembly may wish to consider amending § 22.1-23 of the Code of Virginia to direct the superintendent of public instruction to (i) develop and implement an effective school improvement program, (ii) identify measures to evaluate the effectiveness of the services the Office of School Quality provides to school divisions, (iii) evaluate and make changes as needed to ensure effectiveness, and (iv) annually report to the Board of Education.

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The Board of Education can withhold payment of some or all At-Risk Add-On funding to any division subject to an MOU if the superintendent of public instruction certifies that the local school board has failed or refused to meet any of the MOU's obligations.

The At-Risk Add-On is a budget appropriation that allocates additional funding to school divisions to be used on approved programs for students who are educationally at risk (e.g., low-income students, English language learners).

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If necessary, the state has tools that go beyond the standard school improvement program to address chronically low-performing schools. The only one of these tools that has been used in recent memory is a memorandum of understanding (MOU) with low-performing school divisions. The state has MOUs with five divisions that have had long-term low performance. These MOUs set forth ways that the state and school board will work together to improve performance (sidebar). However, final instructional, personnel, and operational decisions still rest with the local school board. The state has two additional tools that it has not recently used. The Code of Virginia grants the state authority to petition a circuit court to enforce school division compliance



with standards. It also grants authority to fine, suspend, or request outright removal of a division superintendent.

JLARC's 2014 report on low-performing schools cited the need for state authority to override certain local school board decisions and recommended changes to the Code of Virginia and Virginia constitution (subject to voter approval). Such changes could clarify state authority to “make overriding budgetary, personnel, and instructional decisions in local school divisions that meet specific criteria for low performance.” State educational experts have noted that in some cases the need to override local decisions can be fairly broad, such as in requiring a division or certain schools to make substantial changes to key instructional or support practices. However, they also note that beneficial state intervention could be fairly narrow or targeted, such as moving an effective principal or a few effective teachers from a high-performing school to a lower-performing school within the same division. JLARC's recommendations to provide the state with greater authority to override certain local school board decisions have not been implemented, but the General Assembly could still choose to do so.

## **State role in helping divisions recruit and retain teachers is fragmented and under resourced**

Virginia does not have enough teachers. In the 2018–19 school year, about 900 teaching positions (1 percent) statewide went unfilled. Special education, elementary school, and middle school positions were the most likely positions to be unfilled. This means that there are thousands of children who should have been taught by full-time permanent teaching staff, but were instead taught by long-term substitute teachers or allocated across existing teachers (resulting in larger classes). While 1 percent is a small proportion of teaching positions statewide, some divisions have a substantial number of unfilled positions. For example, Bland County was unable to fill 15 percent of its positions, while several other divisions were unable to fill 5 percent or more. Divisions with higher poverty rates were more likely to have unfilled positions.

Virginia also does not have enough teachers that are fully licensed. In the 2018–19 school year, more than 7 percent of teachers were not fully licensed but instead were awarded a provisional license (sidebar). Divisions prefer to hire fully licensed staff and hire provisionally licensed staff only when needed to fill positions that would otherwise remain unfilled. Some divisions had a substantial percentage of provisionally licensed teachers; more than 20 percent of teachers were provisionally licensed in five divisions. More than 30 percent of teachers in Petersburg and Greensville County were provisionally licensed (Table 4-2).

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**All public school teachers and many private school teachers are required to hold a Virginia teacher's license.** However, some educators have a provisional license, which indicates they have met some, but not all requirements for a full license. Provisional license holders have up to three years to meet remaining requirements and apply for full licensure.

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**TABLE 4-2**  
**Some divisions have substantial teacher shortages despite small statewide shortage**

Top 10 divisions based on ...		
	<i>Unfilled teaching positions</i>	<i>Provisionally licensed teachers</i>
1	Bland County, 15%	Petersburg City, 36%
2	Brunswick County, 8%	Greensville County, 32%
3	Franklin County, 6%	Northampton County, 29%
4	Westmoreland County, 6%	Franklin City, 22%
5	Greensville County, 6%	Bland County, 21%
6	Mathews County, 6%	Prince Edward County, 20%
7	Petersburg City, 5%	Martinsville City, 19%
8	Prince Edward County, 5%	Brunswick County, 17%
9	Portsmouth City, 4%	Town of Colonial Beach, 17%
10	Danville City, 4%	Essex County, 15%

SOURCE: JLARC analysis of VDOE teacher shortage data and School Quality Profiles, 2018–19.

NOTE: Twenty-nine divisions reported no teacher vacancies in the 2018–19 school year. The five divisions with the lowest proportion of provisionally licensed teachers had fewer than 3 percent of staff provisionally licensed.

School divisions are ultimately responsible for the recruitment and retention of teachers, however, teacher recruitment and retention was one of the most common areas that school divisions desired more support and assistance from VDOE. Only half of school divisions reported that VDOE’s support in recruiting and retaining highly qualified teachers was effective. A school division staff member indicated that without a statewide strategic effort, divisions are left on their own to address teacher recruitment, retention, and development.

Teacher recruitment and retention is one of the top priorities identified by the board in its current comprehensive plan (2018–2023). The board’s number two priority in its comprehensive plan is to “Advance policies that increase the number of candidates entering the teaching profession and encourage and support the recruitment, development, and retention of well prepared and skilled teachers and school leaders.”

Currently, VDOE’s Department of Teacher Education and Licensure has several responsibilities to help ensure the state has enough teachers. VDOE’s Office of Teacher Education approves teacher preparation programs at colleges and universities and administers several small programs to encourage individuals to enter into or stay in the teaching profession (sidebar). The office also collects data about teacher recruitment and retention. VDOE’s Office of Licensure awards teaching licenses to individuals meeting the state’s licensing standards.

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**Virginia provides some incentives for teachers to work in critical shortage areas.** Retired teachers can work in a shortage area and still receive retirement benefits. Some teachers who commit to working in critical shortage areas can receive scholarships for teacher preparation coursework.

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## **VDOE’s collects inadequate data to identify and implement meaningful strategies to improve recruiting and retention**

Though a stated priority, much of VDOE’s role in teacher recruitment and retention is limited to data collection. VDOE’s Department of Teacher Education and Licensure collects information through activities such as administering a school climate survey, developing an exit survey that some divisions administer when teachers leave their jobs, and collecting some information from divisions about teacher shortage areas.

Some of the data collected and reported related to teacher recruiting and retention is inadequate to fully identify strategies to address problems. For example, the superintendent of public instruction is directed by statute to survey school divisions to identify critical teacher shortages in the state; however, VDOE does not collect and report the teacher critical shortage data in the most useful manner. For example, the report only sums the *number* of vacancies in each endorsement area, but does not take into consideration the *proportion* of positions that are vacant. This means that endorsement areas that have a particularly large number of teachers—like “elementary education preK–6” and “middle education grades 6–8”—top the shortage list. In addition, VDOE does not publicly report shortage data by division or region, which further reduces its usefulness in guiding strategies to address problems.

The Board of Education should direct divisions to report the number of *filled* teaching positions by endorsement area and year through the critical teacher shortage report, in addition to the unfilled positions that are already collected (sidebar). VDOE should then make the data publicly available and calculate the vacancy rate by division, region, and endorsement area. To further isolate shortage areas, the board should also request that divisions provide the *subject area* in which teaching positions are filled and unfilled, where appropriate and not apparent by the endorsement area name (sidebar).

### **RECOMMENDATION 11**

The Board of Education should direct school divisions to annually report the number of filled teaching positions, by endorsement area and subject area when possible.

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### **RECOMMENDATION 12**

The Virginia Department of Education should calculate teacher vacancy rates by division, region, and endorsement area, and make these vacancy rates publicly available on its website.

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VDOE also does not collect adequate information to identify why teachers leave the profession. In 2017, the General Assembly directed VDOE to develop and oversee a pilot program that would administer a model exit questionnaire for teachers. VDOE conducted the pilot and presented the results to the Board of Education in 2018. Among the pilot program findings were that nearly one-quarter of teachers who left

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VDOE collects some information on teachers’ endorsement areas through a different data collection, the **Instructional Personnel Verification of Licensure Endorsement Report**. VDOE uses that report to verify the credentials of teachers. The same, or similar, information could be used to calculate filled positions by endorsement area and year.

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**Some endorsement areas readily identify the subject area that the license-holder teaches.** For example, “English (secondary)” is an endorsement area. Other endorsement areas do not readily identify the subject area or concentration in which someone teaches.

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did so because of their school administrator. No action has been taken on the questionnaire or its results. In the 2019 General Assembly session, legislation that would have directed a questionnaire be administered in all divisions was introduced but not enacted.

The Board of Education could direct VDOE to implement the exit questionnaire statewide from FY21 to FY25. The new questionnaire should be designed to inform VDOE's understanding of teachers' reason(s) for leaving the profession. For example, VDOE could consider asking respondents to *rank* their reasons for leaving rather than simply selecting all that apply, and providing more opportunities for teachers to explain their reason(s) for leaving through open-ended responses.

### **POLICY OPTION 2**

The Board of Education could direct the Virginia Department of Education to implement the teacher exit questionnaire statewide annually from FY21 to FY25. The new questionnaire should be designed to better inform VDOE's understanding of teachers' reasons for leaving the teaching profession.

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### **Teacher mentorship program funding is not targeted to divisions with largest teacher shortages, and program lacks adequate structure**

VDOE oversees a teacher mentorship program designed to support new teachers by partnering them with more experienced educators. Teacher mentorship aims to improve new teachers' skills and performance, as well as retention. In Virginia, local school divisions are responsible for administering their own programs, while VDOE disperses funds from the General Assembly. (Since FY09, \$1 million has been made available annually for the teacher mentorship program.)

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**Divisions must annually submit to VDOE their number of new teachers.** VDOE then disperses prorated funds to each division based on the number of new teachers they reported.

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VDOE currently apportions the \$1 million to each division based on its share of first-year teachers. There are typically about 5,000 new teachers across all 132 school divisions annually (sidebar). However, divisions that hire the most first-year teachers do not necessarily have the most pressing teacher retention challenges (Table 4-3). Allocating funds to divisions based on their share of new teachers provides funding based on a division's size and not whether the division has longstanding retention problems that could be addressed through a more robust mentorship program.

**TABLE 4-3**  
**Divisions with largest teacher shortages are not the divisions that hire the most new teachers**

Top 5 divisions based on ...		
	<i>Teacher shortages</i>	<i>Number of newly hired teachers</i>
1	Bland County	Fairfax County
2	Brunswick County	Stafford County
3	Franklin County	Chesterfield County
4	Westmoreland County	Loudoun County
5	Greensville County	Prince William County

SOURCE: JLARC staff analysis of VDOE teacher shortage and new teacher data, 2018–19.

### RECOMMENDATION 13

The Virginia Department of Education should develop and implement a methodology to allocate teacher mentorship funds to school divisions with the largest teacher shortages.

VDOE provides minimal and outdated guidance to divisions about teacher mentorship programs. Teacher mentorship is largely left to local discretion—or even discretion of an individual teacher mentor—and can vary greatly in content and rigor (sidebar). The Board of Education has not produced written guidelines for implementing local teacher mentorship programs since 2000, and VDOE guidance documents are dated from 2004 to 2007. Divisions are required to evaluate their teacher mentor program annually, but VDOE does not review or comment on the evaluations.

The Board of Education has offered *some* guidance for teacher mentorship programs through its prescribed Standards of Quality. In 2019, the board outlined a mentorship program that would provide mentors to all teachers with less than three years of teaching experience and permit an hour of release time from instruction per week to work with their mentors. The guidance does not, however, detail the specific strategies and practices that should be used in an effective mentorship program. Furthermore, while the prescribed mentorship program includes suggested staffing ratios for division positions to support it, this aspect of the SOQs was not funded by the General Assembly. As a result, VDOE staff had not yet updated existing program guidance.

VDOE should provide more guidance and direction to divisions about effective mentorship practices. First-year teachers are substantially more likely to leave the teaching profession, which highlights the importance of providing high-quality support to new teachers.

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**Divisions have discretion about how to use mentorship funds.** Some divisions divide the money equally and provide a small cash payment to the teachers serving as mentors. Other divisions use the funding to develop and implement mentorship programs for new teachers more broadly.

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VDOE's Office of Teacher Education is responsible for: ensuring accreditation and approving approximately 1,500 teacher preparatory programs at 36 higher education institutions; overseeing several grant programs; and implementing teacher education programs such as Teacher of the Year and Milken educator awards.

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VDOE has requested funding for additional teacher recruitment and retention efforts, including a career fair for teachers (2016) and automation of a system to help teachers identify and meet professional development requirements (2020). These initiatives were not funded by the General Assembly.

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#### RECOMMENDATION 14

The Virginia Department of Education should (i) review the evaluations of teacher mentorship programs submitted by school divisions to identify effective teacher mentorship practices and (ii) use that review and best practices on teacher mentorship to update guidance on how to implement effective teacher mentorship programs.

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#### VDOE needs to strengthen its efforts to help school divisions address teacher recruitment and retention

VDOE needs to strengthen the Office of Teacher Education's efforts to more effectively help divisions address teacher recruitment and retention challenges. The role of the office should be expanded to better analyze data on teacher shortages and coordinate the state's fragmented teacher recruitment and retention efforts.

Virginia's Office of Teacher Education has only three staff, and they were more likely than VDOE staff in general to report high workloads, significant overtime, and insufficient staffing in their office. In addition to the programs and data collection efforts described above, the Office of Teacher Education is also responsible for approving teacher preparation programs in accordance with Virginia regulations as well as administering or overseeing several data collections and grant programs (sidebar). The three staff include an administrative position and one position funded through special education appropriations. This leaves only one position to work on general retention and recruitment efforts. VDOE requested funding for one additional staff position for the Office of Teacher Education as part of the agency's budget request for the 2020–22 biennium, but that position has not been funded.

Kentucky and North Carolina make greater efforts to support teacher recruitment and retention, and do so, in part, by allocating more state staffing to this area. Kentucky's Division of Educator Recruitment and Development administers Go Teach KY, an initiative to help attract new teachers and provide teachers with online resources, training, and a new teacher network. The division also supports Educators Rising, a program for middle and high school students interested in the education field. Kentucky's Division of Educator Recruitment and Development has seven staff (and is not responsible for approving teacher preparatory programs like Virginia's Office of Teacher Education). North Carolina has eight regional education facilitators that help divisions develop and administer programs for new teachers and three staff in an Educator Human Capital Policy and Research unit that conducts data analysis related to teacher recruitment, retention, and effectiveness. Unlike VDOE's Teacher Education staff, these staff in North Carolina and Kentucky focus primarily on teacher recruitment and retention efforts and are *not* responsible for approving teacher preparatory programs.

VDOE could strengthen the role that the Office of Teacher Education plays in helping school divisions—especially those with substantial teacher recruitment and retention challenges. The General Assembly could provide VDOE funding to hire three

more staff who could implement and support enhanced teacher recruitment and retention efforts (sidebar). The Office of Teacher Education could use at least one staff position to determine how the state can do more to help address the state's teacher shortage and implement strategies to do so. Strategies could include

- better marketing the teaching profession,
- providing a statewide teacher application function, and
- working with Virginia's higher education institutions to recruit more students into teacher preparation programs.

These strategies should primarily be focused on divisions with above average teacher shortages and provisionally licensed teachers. In addition, the office could use at least two more staff to more effectively manage teacher mentorship and other incentive programs and to collect and better analyze recruiting and retention data across all related programs and initiatives (e.g., the Teaching While Retired program and Virginia Teaching Scholarship Loan Program, sidebar). Depending on the salaries offered, VDOE would need between \$300,000 and \$400,000 for these three additional staff positions.

### **POLICY OPTION 3**

The Virginia Department of Education could give the Office of Teacher Education a stronger role in helping school divisions with the most substantial challenges recruiting and retaining teachers, which could include (i) conducting more useful data collection and analysis of teacher recruitment and retention challenges, (ii) more effectively administering teacher mentorship and incentive programs, and (iii) identifying and implementing strategies to encourage more individuals to enter into and remain in the teaching profession.

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### **POLICY OPTION 4**

The General Assembly could appropriate additional funding for three new staff positions in the Office of Teacher Education to strengthen its role in helping school divisions with the most substantial teacher recruitment and retention challenges.

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Teachers often leave the profession because they are dissatisfied with compensation and school leadership, according to VDOE leadership and educational associations, so expanded efforts by VDOE alone will not solve teacher shortages. In a 2018 exit survey of teachers that were leaving their respective school division, 25 percent of respondents indicated that pay was a determining factor in their decision, and 33 percent indicated that a pay increase would have been an incentive to stay. In 2017–18, Virginia's average teacher salary of approximately \$52,000 ranked 31 of 50 states, according to the National Education Association. In addition, 26 percent of teachers indicated that they left their division because of a lack of support from school leadership.

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Virginia's **Teaching While Retired** program allows retired teachers to return to teaching and still receive pension benefits if the teacher works in a critical shortage area. Currently, VDOE does not maintain data on how many teachers participate in this program or where they return to teaching.

The **Virginia Teaching Scholarship Loan Program (VTSLP)** provides loans to cover the cost of teacher preparatory programs. The loan is forgiven if the teacher works in a critical shortage area for two years after program completion. VDOE maintains data on the teaching endorsement area of participants, but not the locality in which they are employed.

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## **More effective state support for school divisions to recruit and retain teachers requires sustained, full attention by the Board of Education**

The state’s recent efforts to improve teacher recruitment and retention have been temporary or incomplete. In 2017, the Board of Education and the State Council of Higher Education for Virginia (SCHEV) developed an advisory committee on teacher shortages. The committee presented several policy recommendations to the board, but the advisory committee met for less than six months and then disbanded. Without *sustained*, long-term focus on teacher recruitment and retention issues, thoughtful policy recommendations likely will not move forward.

The Board of Education’s comprehensive plan outlines the board’s priority to “support the recruitment, development, and retention” of a sufficient teacher workforce, though its strategies to address that priority are vague and not actionable. For example, the plan says the board will “encourage respectful, caring relationships among staff and students for a positive school climate and life experience of teachers.” While work environment certainly affects teacher recruitment and retention, the board’s plan does not include policy initiatives, recommendations, or actionable guidance for schools, divisions, or VDOE.

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**The Board of Education has an advisory board on teacher education and licensure (ABTEL).** ABTEL comprises legislators, teachers, school administrators, division staff, and teacher preparatory program representation.

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One way to complement additional staffing in the Office of Teacher Education would be to broaden the responsibility of one of the Board of Education’s advisory committees, referred to as ABTEL (sidebar). The Code of Virginia directs ABTEL to advise the Board of Education on policies related to teacher preparation and licensing requirements. The General Assembly should expand ABTEL’s role to include advising the board on strategies to help school divisions recruit and retain teachers.

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**Teachers are endorsed to teach specific subjects based on the coursework and assessment scores** provided in their license application. Teachers may apply to add or change endorsement areas—the subjects and grade levels they are qualified to teach according to the state—on their license at any time. In each case, a VDOE licensure specialist must review the applicant’s coursework and assessments. Teachers may also request VDOE staff provide guidance on what *additional* coursework may be required to earn a new endorsement.

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### **RECOMMENDATION 15**

The General Assembly may wish to consider amending § 22.1-305.2 of the Code of Virginia to direct the Advisory Board on Teacher Education and Licensure to advise the Board of Education on policies related to helping school divisions more effectively recruit and retain licensed teachers.

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## **VDOE’s teacher licensure process is inefficient but scheduled to be automated in 2021**

VDOE’s Office of Licensure reviews the credentials of individuals seeking to become a licensed teacher in Virginia, then awards a teaching license if they meet the state’s licensing standards. A teacher must receive a license from VDOE to be considered qualified to teach in Virginia as required by state and federal law. This interaction can be periodic, only occurring at the time of application for a new license or a renewal, or more frequently, as each additional endorsement requires a change to a teacher license (sidebar). Educators must submit records of their coursework, assessments, trainings, and teaching experience when applying for licensure. If all requirements are



met, VDOE issues a license that is valid for 10 years (sidebar). The Office of Licensure issues approximately 8,000 new licenses and 25,000 license renewals or adjustments each year. The office also processes requests to add endorsement areas, evaluate license-holders for new endorsement areas, and change license types.

Divisions have expressed concerns with the Office of Licensure, particularly related to timeliness. VDOE staff indicated it takes approximately four-to- six weeks to process a new license application when *all* of the required documents are included in the initial submission. VDOE does not have a method to reliably calculate how long it takes to process individual applications or all applications, on average.

The timeliness concerns appear to primarily result from the paper-based licensure process (Figure 4-3). Divisions or teachers submit paper licensure applications, along with payment checks, to VDOE through the U.S. Postal Service. VDOE administrative staff then process the paper payment and scan the paper application. VDOE licensing staff conduct their review of the scanned application. Depending on the completeness and validity of the application, it can take more than two weeks to determine whether an applicant meets the licensing requirements.

VDOE is taking steps to improve efficiency and processing times, but licensing will remain a complex and time-consuming process. In 2019, the General Assembly appropriated \$348,500 for VDOE to automate the license application process. VDOE hopes to launch online application submission by mid-2021. As shown in Figure 4-3, automation should eliminate several steps in the current process (e.g., mailing paper applications and checks) and make others more efficient (e.g., VDOE licensing staff can directly review applications electronically). Automation will likely reduce application processing times substantially, though licensing specialists will still need time to review the application and other materials to make a decision on licensure.

While possible within the licensure system, VDOE does not currently track or assess the timeliness of license application processing in a manner that can reliably measure licensing staff performance. VDOE should set a goal for how long it should take, on average, to process each type of license application. Doing so will also inform VDOE management about licensing staff performance and help to identify areas for improvement or in need of additional resources. Implementation of new procedures within the licensure system should allow VDOE to better measure process timeliness.

#### **RECOMMENDATION 16**

The Virginia Department of Education should set specific goals for how long it will take to process each type of license application or renewal and use processing times measured by its automated licensing system to determine whether it is meeting its processing timeliness goals.

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In 2018, Virginia increased teacher license lengths from five years to 10 years. This will reduce by half the number of recertifications VDOE needs to address each year but will not impact the number of new license applications or applications to add or change endorsement areas.

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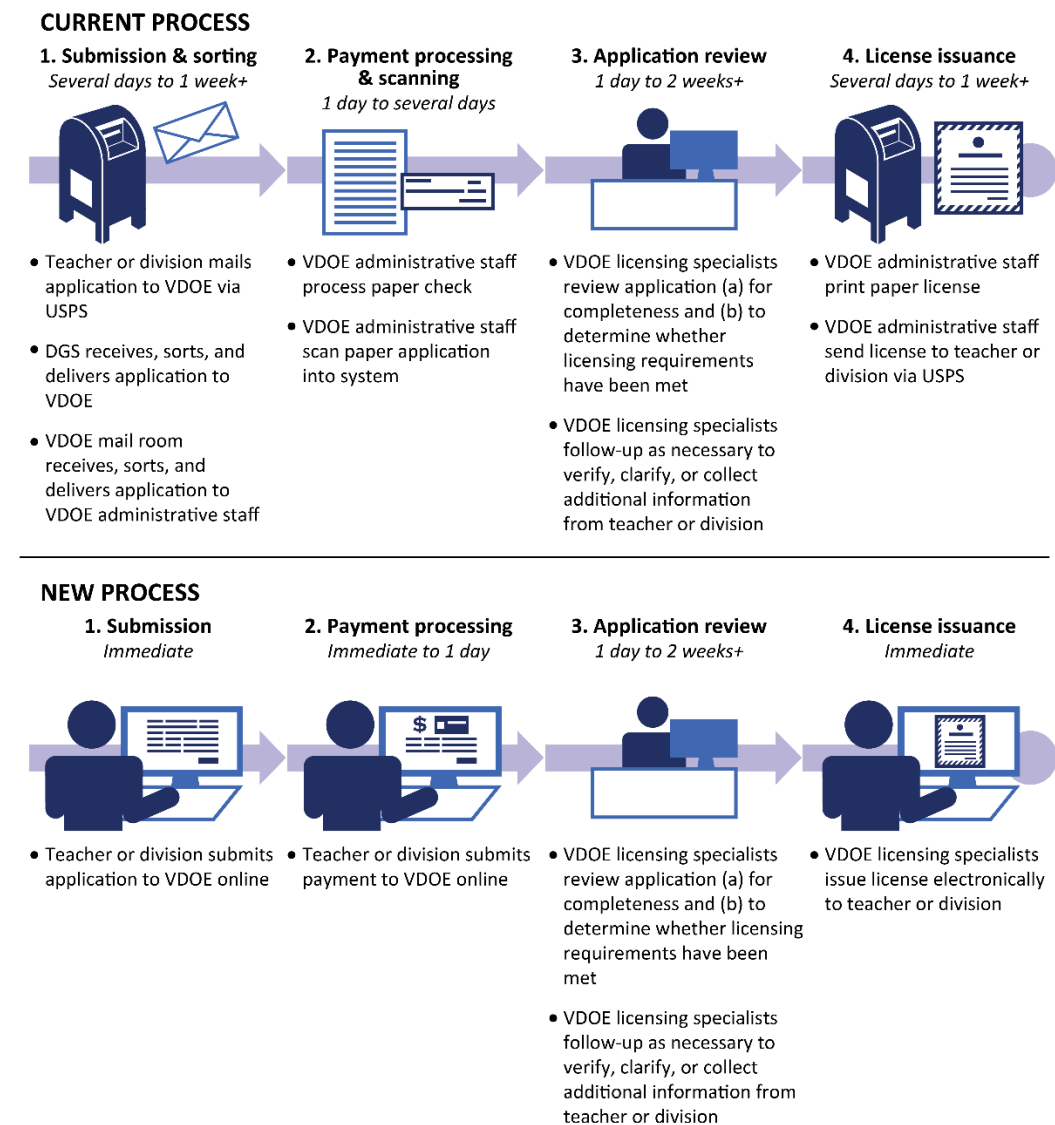
Automating the licensing process should also allow VDOE to use its staff more efficiently. Staff in the licensing office expressed more concern than the agency average

about their workload. VDOE should evaluate how the automated process will change the type and number of staff needed to ensure that there is an appropriate number of administrative staff and licensing specialists. VDOE may need fewer administrative staff because some administrative steps will be eliminated by automation.

**RECOMMENDATION 17**

The Virginia Department of Education should determine the total number and allocation of administrative staff and licensing specialists necessary in the Office of Licensure after the process automation is fully implemented.

**FIGURE 4-3**  
Application process is currently paper-based but is scheduled to be automated



SOURCE: JLARC summary of licensing process and VDOE estimates of timeframes.

# 5 Virginia Board of Education

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The Virginia Board of Education (“the board”) is responsible for the “general supervision of the public school system” and has “primary responsibility and authority for effectuating the educational policy set forth” by the Constitution of Virginia (sidebar). Specific duties of the board include

- prescribing the Standards of Quality;
- establishing and regularly updating the Standards of Accreditation and the Standards of Learning;
- annually reporting to the governor and General Assembly on the “condition and needs of public education” and divisions’ performance in meeting the Standards of Quality;
- publishing guidance for school divisions (e.g., emergency graduation requirements for COVID-19); and
- serving as Virginia’s board for career and technical education (CTE).

The board consists of nine members appointed by the governor with the consent of the General Assembly and operates in accordance with bylaws developed by the board itself. Terms are for a four-year period, and each member can serve a maximum of two consecutive terms. The board includes five standing committees and five advisory committees that focus on specific areas of public education (sidebar).

The board has no legally designated staff and does not appoint or evaluate the superintendent of public instruction. However, the superintendent of public instruction—who is appointed by the governor to lead VDOE—serves as secretary of the board and is directed by the Code of Virginia to perform other duties as the Board of Education may prescribe. The board may delegate or assign tasks to VDOE. In practice, this is chiefly operationalized through the Office of Board Relations, which coordinates board requests and needs with all VDOE departments and offices.

## Board has productive relationship with VDOE despite limitations in board’s supervisory authority

The current members of the Virginia Board of Education are well qualified to carry out the board’s constitutional and statutory responsibilities. As of June 2020, the board’s membership included professional experience and expertise in Virginia K–12 public education, including special education; higher education, both public and private; and private industry. In addition, board members as of June 2020 (sidebar)

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The Board of Education is established in the state constitution rather than in the Code of Virginia.

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**Standing board committees** include a charter school committee, a committee on evidence-based policy making, a committee on school and division accountability, and a committee on the Standards of Quality.

**Advisory board committees** include the Advisory Board on Teacher Education & Licensure, the State Special Education Advisory Committee, and the Advisory Committee on Career & Technical Education.

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A member of the Board of Education completed the maximum allowable term of service on **June 30, 2020**. As of September, the governor has not appointed a replacement. This vacancy is in addition to a **board seat that has been vacant since December 2019**. The Code of Virginia does not require vacancies to be filled within a particular time frame.

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have served or are currently serving in significant leadership roles, such as CEO of a community-based nonprofit organization, superintendent of a large Virginia school division, chairman of a local board of supervisors, and a previous state secretary of education.

Members of the Board of Education are engaged in their work. All board members responding to JLARC's survey rated the board as "highly engaged" (sidebar). Key board partners, including the secretary of education and VDOE staff director of board relations, also characterized the board as highly engaged, pointing to specific examples such as town halls hosted by board members across the state in late 2019 and early 2020. During all board meetings from 2018 through June 2020, either all board members attended or only one did not attend.

The Board of Education and VDOE have a generally productive and well managed working relationship. VDOE staff consistently answer questions posed by the board and provide clear, detailed information that supports the board's ability to do its work. The VDOE staff director of board relations informs VDOE offices of all board responsibilities and due dates for the upcoming year to ensure staff have sufficient time to submit required materials. The director also created an orientation program for new board members. Furthermore, the director transitioned meeting materials that were previously all paper-based to an electronic board book, which has allowed members to receive non-confidential meeting materials more quickly and to more easily access materials archived from previous meetings.

Board members are satisfied with the support provided by VDOE staff. Responses to JLARC's survey of board members indicate high rates of satisfaction with the job performance of the director of board relations and senior VDOE leadership (i.e., superintendent of public instruction; deputy and assistant superintendents). All seven board members responding to JLARC's survey agreed that VDOE staff provide the necessary information for the board to effectively carry out its responsibilities. All were also satisfied with the information, guidance, and support received from VDOE staff. Of the respondents who had served on the board for three or more years, both noted improvement in VDOE's provision of information, guidance, and support.

Several board members observed that in comparison with other supervisory boards, the Board of Education has less specific authority to direct VDOE activities. Most supervisory boards in Virginia appoint the agency head and approve agency budgets, yet the Board of Education does not have these authorities (Table 5-1). The Code of Virginia acknowledges this discrepancy in defining the authorities of supervisory boards through the clause, "Notwithstanding the foregoing, the Board of Education shall be considered a supervisory board." According to the Office of the Attorney General, legislative history is clear that the Board of Education should be considered a supervisory board. In addition, though appointed by the governor, the superintendent is directed in the Code of Virginia to "perform such other duties as the Board of Education may prescribe."

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**JLARC surveyed all members of the Virginia Board of Education in May 2020. JLARC received responses from seven of eight members (Appendix B).**

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**TABLE 5-1**  
**Code of Virginia designates Board of Education as supervisory but does not grant it all supervisory powers and authorities**

Supervisory board powers and authorities	Board of Education?
Board "is responsible for agency operations including approval of requests for appropriations"	No
Board "appoints the agency director"	No
Board "ensures that the agency director complies with all board and statutory directives"	Partial
"The agency director is subordinate to the board"	No

SOURCE: Code of Virginia.

Although Code gives less authority to the board than other supervisory boards in Virginia, this does not create an immediate problem because of the positive working relationship between the VDOE and the current board. However, there have been several instances in which board members would have preferred to direct VDOE staff but did not believe they had the legal authority to do so. For example, board members expressed frustration that VDOE staff are not permitted to help them advocate for full funding of the Standards of Quality during legislative sessions.

## Specific membership requirements could ensure necessary expertise and regional representation

Based on the board's current operations, no changes to its membership or authority are immediately necessary. Over time, though, Virginia's Board of Education membership could be further strengthened to require certain board member qualifications and geographic representation. These changes would be more in line with other boards in Virginia and boards of education in neighboring states. These changes would also support—though would not guarantee—the continuation of high levels of effectiveness and engagement of the board.

Current board members have a wide range of expertise and experience that is collectively useful for their deliberations. However, the Code of Virginia requires that only two board members have specific experience—in private industry (added in 2017). This requirement is consistent with the belief of several key stakeholders in the importance of having board members from private industry, who are not part of the K-12 system, so they can bring a different perspective than those who are part of the system (e.g., educators or administrators).

In contrast with other boards in Virginia and other states, the Code of Virginia specifies no other experience for members of the Board of Education. The Code of Virginia requires specific expertise or experience that aligns with key agency functions for several other boards (sidebar). Virginia's neighboring states require relevant

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The Code of Virginia requires relevant expertise for appointees to some boards. Examples include the **Board of Wildlife Resources** (§ 29.1-102), the **VEDP Board of Directors** (§ 2.2-2235.1), and the **Board of Veterans Services** (§ 2.2-2452).

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expertise or experience for their boards of education (such as experience as a classroom teacher).

The Board of Education may benefit from additional expertise. The General Assembly could consider including requirements for several board members to help inform board decisions. These requirements could include experience outside of the K–12 system, such as leadership or policy-making experience at the local level because of the critical role that local boards and local governments play in funding and administering school divisions. These requirements could also include expertise in specific areas within education [e.g., career and technical education (CTE), special education, the transition from K–12 to higher education, or early childhood education]. In particular, requiring that one member have CTE expertise could be especially beneficial to the state given the challenges VDOE and the Virginia Community College System have in collaborating to support CTE (as discussed in Appendix E). Likewise, requiring a board member with expertise in early childhood development and education would support the board’s ability to fulfill its newly acquired role as the state’s leading agency for early childhood education (sidebar).

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**Legislation passed in 2020—SB 578 / HB 1012**—requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education and VDOE.

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**POLICY OPTION 5**

The General Assembly could amend § 22.1-9 of the Code of Virginia to require that the Board of Education include (i) one member with expertise or experience in local government leadership or policymaking, (ii) one member with expertise or experience in career and technical education, and (iii) one member with expertise or experience in early childhood education.

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In addition, current board membership represents only half of the state’s geographic regions. Virginia’s school divisions are organized into eight geographic areas referred to as superintendent’s regions. However, four of the eight regions are not represented on the Board of Education. The remaining four regions have at least one member, including four members from the Richmond metropolitan area (Table 5-2).

**TABLE 5-2**  
**Four regions lack representation and third-largest region has most members**

	Virginia’s Superintendent Regions							
	1	2	3	4	5	6	7	8
	<i>Richmond metro area</i>	<i>Tidewater</i>	<i>Northern Neck</i>	<i>NOVA</i>	<i>Valley</i>	<i>Western</i>	<i>Southwest</i>	<i>Southside</i>
# of members representing								
								

SOURCE: JLARC analysis of information from the Virginia Department of Education.  
 NOTE: Reflects board membership as of June 30, 2020.

Wider geographic representation on the board could help ensure the board's deliberations and decisions are informed by the varying perspectives and needs of each region and its students. One board member remarked that "while the board reflects diversity in gender and race, I do not believe we represent the Commonwealth's geographic regions as well as we could." The challenges facing school divisions can vary substantially by geographic region. While it may not be necessary or practicable to require one representative from each superintendent's region, better overall geographic representation on the board would likely benefit the body and help inform its policies. For example, having at least one member from *either* of the two superintendent's regions in Southwest Virginia would ensure that the challenges facing divisions and communities in that part of the state can inform the board's decisions and directives.

Several other states require that their boards of education reflect their state's geographic regions. Maryland, Tennessee, North Carolina, Kentucky, and Georgia all require geographic representation on their state boards of education through statute. In Virginia, several other boards require regional representation (sidebar).

The General Assembly could consider requiring that there be broader regional representation on the Board of Education given the differences in the student population across the state. While it may not be practical or necessary to require a member from each of the state's eight superintendent regions, the Code of Virginia could be amended to require that there be representation from at least five of the eight regions.

#### **POLICY OPTION 6**

The General Assembly could amend § 22.1-9 of the Code of Virginia to require the Board of Education to include members that represent at least five of the state's eight superintendent regions.

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The Code of Virginia requires geographic representation for some boards. Examples include: the Commonwealth Transportation Board (§ 33.2-201), the Board of Wildlife Resources (§ 29.1-102), the Board of Workforce Development (§ 2.2-2471), the Virginia Growth and Opportunity Board ("GO Virginia," § 2.2-2485), and the Board of Veterans Services (§ 2.2-2452).

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## Appendix A: Study resolution

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### Operations and Performance of Virginia's Department of Education

Authorized by the Joint Legislative Audit and Review Commission on December 10, 2018

WHEREAS, the Virginia Department of Education (VDOE) is led by the Superintendent of Public Instruction, who is tasked with providing “such assistance in his office as shall be necessary for the proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities” (§ 22.1-23); and

WHEREAS, Virginia's educational environment has become increasingly complex for many reasons including: a more competitive global economy necessitating a highly educated workforce; evolving standards for student readiness, and teacher and school assessment and accountability; a greater percentage of students living in poverty, with limited English proficiency, and with unique or special educational needs; and

WHEREAS, VDOE distributes more than \$8 billion annually in federal and state general funds to Virginia's 132 school divisions for the purpose of educating 1.25 million public school students; and

WHEREAS, VDOE seeks to assist school divisions to design and implement instructional and special education programs; to regulate licensure of school personnel and preparation programs; and to administer statewide assessment tests; and

WHEREAS, Virginia's 132 school divisions are of widely varying sizes and levels of administrative expertise, and receive substantially differing levels of state and local funding; and this wide variation necessitates effective and tailored state support; and

WHEREAS, the General Assembly appropriated \$108 million for VDOE operations (comprising 57 percent general funds and 43 percent non-general funds); and VDOE was authorized to employ about 330 full-time equivalent staff in FY19; and

WHEREAS, VDOE classified and wage employee staffing declined following the Great Recession then subsequently increased; and

WHEREAS, a 2016 review by the Auditor of Public Accounts found several material weaknesses in VDOE's budgeting and fiscal oversight and internal controls; and

WHEREAS, the Joint Legislative Audit and Review Commission (JLARC) not reviewed VDOE central office operations in many years; now, therefore be it

RESOLVED by the Joint Legislative Audit and Review Commission that staff be directed to review the operations and performance of the Virginia Department of Education. In conducting its study, staff shall assess (i) whether VDOE successfully identifies major, statewide challenges to improving student performance—such as low performing schools and poor instructional quality—and implements workable strategies to address those challenges; (ii) whether VDOE adequately helps

school divisions in the design and implementation of effective instructional and instructional support programs; (iii) whether VDOE sufficiently incorporates best practices into the assistance it provides and effectively facilitates sharing of evidence-based and innovative practices among school divisions; (iv) whether VDOE adequately monitors compliance with educational and operational requirements that apply to school divisions; (v) whether VDOE effectively coordinates with other education and workforce agencies; (vi) whether the Board of Education has an effective relationship with VDOE; and (vii) whether VDOE is organized, staffed, and structured to ensure efficient and effective internal operations. JLARC shall make recommendations as necessary and review other issues as warranted.

All agencies of the Commonwealth, including local school divisions and boards, shall provide assistance, information, and data to JLARC for this study, upon request. JLARC staff shall have access to all information in the possession of state agencies pursuant to § 30-59 and § 30-69 of the Code of Virginia. No provision of the Code of Virginia shall be interpreted as limiting or restricting the access of JLARC staff to information pursuant to its statutory authority.

## Appendix B: Research activities and methods

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Key activities performed by JLARC staff for this study included

- structured interviews with staff from VDOE, the Virginia Community College System (VCCS), the State Council of Higher Education for Virginia (SCHEV), and non-government stakeholder groups such as the Virginia Association of School Superintendents;
- surveys of VDOE staff, school divisions, Board of Education members, and state agencies that collaborate on shared initiatives with VDOE;
- interviews and focus groups with school division staff;
- collection and analysis of VDOE documents and data, including data related to funding, spending, staffing, and hiring; and
- a review of various other documents and data, including statutes and regulations in Virginia and other states, and previous VDOE audits and consultant reviews.

### Structured interviews and focus groups

Structured interviews were a key research method for this report. Because of COVID-19, nearly all interviews were conducted by phone. Interviews were conducted with:

- VDOE leadership, including the superintendent of public instruction, deputy superintendents, assistant superintendents, and office directors;
- staff at 21 school divisions including local superintendents, technology specialists, and personnel managers;
- staff at other Virginia state agencies; and
- representatives of non-government stakeholders of VDOE, such as the Virginia Association of Superintendents.

### *VDOE staff*

JLARC staff conducted approximately 40 interviews with over 50 VDOE staff members over the course of the study.

Interviews included VDOE leadership, including the superintendent of public instruction, both deputy superintendents, each of the seven assistant superintendents, the chief school readiness officer, the director for business and risk management, and the chief information security officer. The purpose of the interviews with VDOE leadership staff was to learn about the respective roles and responsibilities—including compliance and support activities—of staff in their division or department, their perspective of the agency’s organizational structure, how their department or division coordinates with external stakeholders such as other state agencies, and the challenges faced by their division or department.

JLARC conducted interviews with 18 office directors that lead VDOE’s various offices that house most of VDOE staff. JLARC staff interviewed 18 of 31 office directors. Interviews of office directors covered topics such as the roles and responsibilities—including compliance and support activities—

of staff in their division or department, their perspective of the agency organizational structure, perceptions of agency leadership, how their department or division coordinates with external stakeholders such as other state agencies, and the challenges faced by their office.

JLARC staff interviewed several other VDOE staff about a variety of topics, including topics related to their specific roles at the agency, agency culture and morale, leadership, communication, organizational structure, and adequacy of agency information technology equipment.

### ***School divisions***

JLARC conducted in-depth virtual focus groups with staff from 21 school divisions. Each focus group centered on one or more areas of VDOE support and technical assistance that respondents to the division survey rated as less effective. Discussion topics included specific challenges affecting divisions' ability to achieve relevant goals, shortcomings with existing support and technical assistance offered by VDOE, and suggestions for how VDOE's support and technical assistance could be improved. The categories of support and technical assistance addressed by focus groups were:

- instructional technology,
- recruitment, retention, and development of non-instructional staff,
- school facilities,
- teacher recruitment, retention, and development, and
- support provided by the Office of School Quality.

School divisions were invited to participate in specific focus groups based on their responses to applicable survey questions. JLARC staff created invite lists to focus groups based on a variety of school characteristics including size, region of the state, and local ability to pay to gather diverse perspectives on each topic.

JLARC staff conducted email outreach with school divisions (outside of the focus group process) on several topics, including providing instruction to students with unique learning needs (e.g., English language learners, students in poverty, students in special education, students with disabilities, etc.); providing instruction in specific subject or content areas (e.g., reading, math, and science); providing career, technical, and adult education (CTE); and providing efficient pupil transportation.

### ***Other stakeholders***

JLARC staff conducted interviews with the Virginia secretary of education; staff at other state agencies that coordinate with VDOE, such as the Virginia Community College System (VCCS), the State Council of Higher Education for Virginia (SCHEV), and the Auditor of Public Accounts (APA); subject-matter experts; and Virginia education stakeholder groups, as well other stakeholder groups such as the Virginia Association of Superintendents (VASS), VASCD, Virginia Association of Secondary School Principals, and Virginia Association of Elementary School Principals (VAESP). In addition, JLARC staff attended a meeting of the Virginia Public Education Coalition, which included representation from several stakeholder groups (e.g., VASS, VEA, VAESP) and teacher education programs.

## **Surveys and information collection**

Five surveys were conducted for this study: (1) a survey of all full-time VDOE staff, (2) a survey of school divisions, 3) a survey of Virginia Board of Education members, 4) a survey of state agencies that collaborate with VDOE on shared initiatives, and 5) a survey of school divisions to gather their opinions on the guidance, support, and determinations made by VDOE in response to the COVID-19 pandemic as it related to resuming school operations in the 2020–21 academic year.

### ***VDOE staff***

JLARC staff administered a survey electronically to all salaried, full-time staff at VDOE. JLARC staff sent the survey to 346 staff and received responses from 277 staff members for an overall response rate of 80 percent. These staff represented all of VDOE’s core service divisions and support divisions.

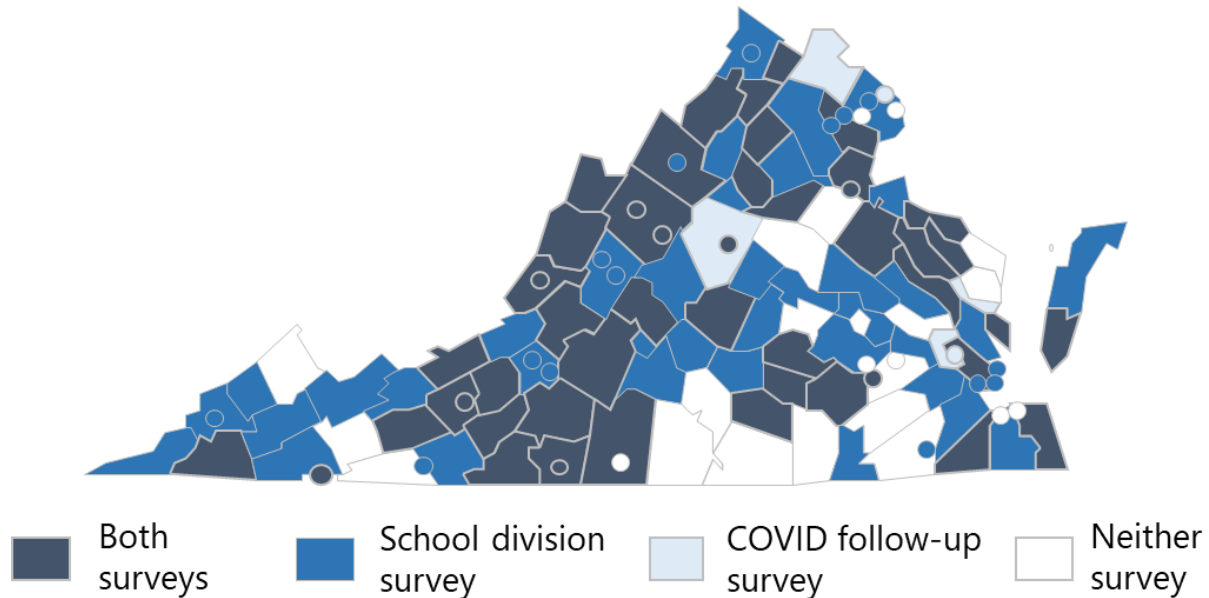
Survey topics included staff perceptions about working at VDOE, VDOE leadership and communication, staff perceptions about their office(s), compliance activities of each office, support and technical assistance provided by each office, and workload.

### ***School divisions,***

JLARC submitted an electronic survey to school divisions in Virginia, and requested that the division superintendent, or a designee of the superintendent, complete the survey. The survey was sent to all 133 school divisions, and JLARC staff received a response from 101 divisions, a response rate of 76 percent (Figure B-1). The survey focused on VDOE’s response to COVID-19 as of May 2020, divisions’ interactions with VDOE staff, VDOE’s accountability and compliance activities, the technical assistance and support provided by VDOE, VDOE’s school improvement process (academic review and division level memorandum of understanding), and VDOE’s communication and coordination with key education and government stakeholders.

In addition to the comprehensive survey of school divisions, JLARC staff also conducted a brief follow-up survey of school division staff to gather their opinion on the guidance, support, and determinations made by VDOE in response to the COVID-19 pandemic as it related to resuming school operations in the 2020–21 academic year (August 2020). Fifty-eight school divisions (44 percent) responded to the follow-up survey.

**FIGURE B-1**  
**Survey responses by school division**



SOURCE: JLARC analysis of school division survey responses.

### ***Agency and program collaboration information collection instrument***

JLARC administered an electronic information collection survey to other state agencies that coordinate with VDOE on state initiatives and programs. JLARC received responses from nine state agencies in reference to 48 initiatives and programs. These agencies include the Department for Aging and Rehabilitative Services (DARS), Office of Children’s Services (OCS), Department of Criminal Justice Services (DCJS), and Virginia Community College System (VCCS). Appendix E includes a full list of the programs and initiatives.

### ***Other states***

Data and information requests were sent to staff from departments of education in seven other states. These included Florida, Georgia, Kentucky, Maryland, North Carolina, South Carolina, and Tennessee. Requests were used to gather data and information necessary to compare staffing, roles, programs, policies, practices, and legal authority at VDOE to its counterparts in other states.

### **Data analysis**

Several data analyses were performed for this study. JLARC staff reviewed and analyzed

- VDOE staffing and turnover using DHRM data and reports,
- VDOE spending using agency expenditure data,
- VDOE funding and appropriation data in the Virginia Appropriation Act,
- Virginia school accreditation data, and

- data regarding the characteristics of Virginia public schools including student enrollment, student racial demographics, student body composition (e.g., special education, disabled, homeless, child of veterans, talented and gifted), locality fiscal stress score, and locality composite index score (local ability to pay).

### **Document review**

JLARC staff reviewed numerous other documents and literature pertaining to education agency management in Virginia and nationwide, such as:

- Virginia statutes and regulations on the authority of VDOE;
- other states' Department of Education websites and statutes on Department of Education legal authority;
- prior studies and reports on VDOE and K–12 education in Virginia, including internal agency reports, JLARC reports, Auditor of Public Accounts reports, and independent consultant reviews of VDOE; and
- guidance and support documents provided to school divisions by VDOE, including those related to school performance and improvement, the VDOE website, VDOE's Single Sign-On Web System (SWSS) used for school division data submission, guidance and support provided to school divisions regarding the COVID-19 pandemic.

### **COVID-19 pandemic impact on study and research**

The COVID-19 pandemic emerged during this study. JLARC staff worked remotely for the later stages of the study planning phase and the duration of the research, findings, and reporting phase of the project. Likewise, Virginia's school divisions closed for the remainder of the 2019–20 academic year, and school division staff were forced to undergo substantial disruption and increased workload to address the situation. Finding opportunities for interviews or other feedback from school division staff was generally challenging as a result of the disruption and increased workload placed on school divisions by COVID-19. Regardless, JLARC staff were able to gather input from school divisions via two surveys and focus groups.

## Appendix C: VDOE guidance to school divisions in response to COVID-19 pandemic

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Because of the evolving nature of the COVID-19 pandemic while JLARC staff reviewed VDOE, staff did not seek to reach definitive conclusions about the quality or effectiveness of VDOE's response to the crisis. JLARC staff did, though, catalog the major aspects of VDOE's response from March to September 2020.

### **Governor's office, secretary of education, VDH, and VDOE contributed to state response and guidance for school divisions**

Through executive orders, the governor, several task forces, and many state agencies have managed the Commonwealth's response to COVID-19. On March 12, the governor declared a state of emergency. All K–12 schools were closed temporarily, then subsequently closed for the remainder of the 2019–20 academic year. On June 9, the governor announced that K–12 schools could begin a phased reopening process for the 2020–21 academic year. The governor's office announced schools could reopen in three phases depending on the determination of the severity of the COVID-19 outbreak. These phases include:

- Phase One: Special education programs and child care for working families are provided in-person.
- Phase Two: Phase One services plus preschool through third grade student instruction, English learner instruction, and summer camps in school buildings are provided in-person.
- Phase Three: All students may receive in-person instruction that can be accommodated with strict social distancing measures in place, which may require alternative schedules that blend in-person and remote learning for students.
- Beyond Phase Three: Divisions will resume “new-normal” operations under future guidance.

The governor's office gave local school divisions discretion on how to operationalize policies within each phase. As of July 31, 2020, Virginia was in Phase Three.

On July 6, 2020, VDH and VDOE jointly issued high level guidance for school divisions, largely based on the Centers for Disease Control (CDC)'s guidance and understanding of COVID-19 at the time. The CDC guidance included three risk levels:

- Lowest risk - Students and teachers engage in virtual-only classes, activities, and events.
- More risk - Small, in-person classes, activities, and events. Groups of students stay together and with the same teacher throughout/across school days, and groups do not mix. Students remain at least six feet apart (or three feet when wearing masks) and do not share objects (e.g., hybrid virtual and in-person class structures or staggered/rotated scheduling to accommodate smaller class sizes).



- Highest risk - Full sized, in-person classes, activities, and events. Students are not spaced apart, share classroom materials or supplies, and mix between classes and activities.

The secretary of education’s office facilitated a variety of task forces and workgroups consisting of state and local officials. These included an Education Response and Recovery Work Group, and task forces on continuity of learning, return to school, and accreditation. The workgroup and associated task forces included many senior VDOE staff, and dozens of school division staff such as current and retired teachers, current school division superintendents, school division academic, assessment and testing, resource, coordinator, human resource, operations and transportation, and other staff. The task forces also included representatives from numerous associations such as the Virginia Parent Teacher Association and Virginia Association of School Superintendents.

VDH required school divisions to develop and submit a health plan, and VDOE required divisions to develop and submit a plan for providing new instruction (“instructional plan”) before re-opening for the 2020–21 academic year. Both agencies provided guidance and a template for school divisions to develop a health plan. The plans required divisions to address their plans and procedures for a variety of topic areas related to providing safe, healthy environments and quality instruction for the new academic year (Table C-1). VDOE provided guidance for completing the instruction plan, which is to include components such as a plan for operational infrastructure to support learning (technology, communications, transportation, etc.) and identify gaps in student needs. VDOE is responsible for reviewing both the health plan and new instruction plan submitted by each division.

**TABLE C-1**  
**VDH and DOE required school divisions to submit plans that addressed a variety of topics**

Health plan	Instructional plan
<ul style="list-style-type: none"> <li>• Local public health conditions</li> <li>• Planning to reopen</li> <li>• Promotion behaviors that reduce the spread of COVID-19</li> <li>• Preparing for when someone gets sick</li> <li>• Protecting vulnerable individuals (65+, underlying health conditions)</li> <li>• Maintaining healthy environments and operations</li> <li>• Planning to close down, if necessary, due to severe conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Operational infrastructure to support learning</li> <li>• New instruction for all students (equity, preparing teachers through professional development, family engagement, communication with stakeholders)</li> <li>• Identification of instructional gaps and student needs (identification and assessment, supports, revisions to curriculum, pacing, and delivery)</li> <li>• Remote learning (should further closures be necessary)</li> </ul>

SOURCE: VDH and VDOE websites.

Since March 2020, VDOE has maintained a dedicated section of its website to the COVID-19 response. All COVID-19-related guidance is posted to this website, along with a series of frequently asked questions. VDOE posted answers to 130 frequently asked questions about *closing* schools. As of

late September, VDOE had posted 134 frequently asked questions about *re-opening* schools. Question topics included:

- school budget and finance,
- assessment and accountability,
- instruction delivery,
- early childhood care and education,
- special education and student services,
- school nutrition services,
- data collection and technology,
- teacher education and licensure implications,
- transportation, and
- student athletics.

### **Primary state resource for school divisions was a 131-page guidance document**

The foundational guidance provided to school divisions, a document entitled “Recover, Redesign, Restart,” was released by the secretary of education, superintendent of public instruction, and chair of the board of education in early July 2020. The guidance was more than 130 pages long and included recommendations, checklists, and other resources to facilitate local school boards’ decision-making about how best to educate children while COVID-19 is still a public health risk.

The guidance addressed a variety of topics related to the operational, instructional, and health considerations for deciding when and how to fully reopen schools. Topics included:

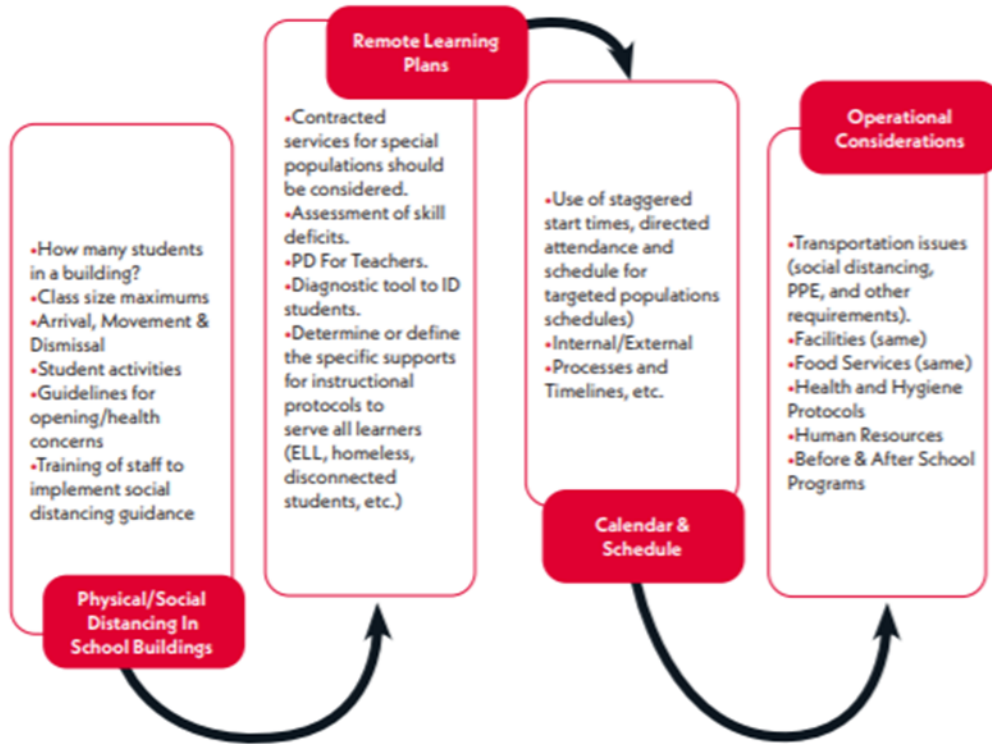
- key steps to ensuring equity,
- return to school guiding principles and phases,
- health and safety procedures and mitigation strategies,
- facilities, schedules, and transportation accommodations,
- sample schedules,
- key questions for finance and budget, communications, and human resources,
- key questions for remote learning and telework, and
- recommendations for remote and hybrid instruction.

In these topics and others, the guidance document included links to best or other practices, questions, checklists, and templates. Examples of some of these materials are shown below.

EXHIBIT C-1

Example informational materials included in guidance to school divisions

**TIMELINE II.2: FALL ON-TIME REOPEN DATE OR EARLY CALENDAR START**  
*SCHOOLS OPEN WITH LIMITED FACE-TO-FACE INSTRUCTION AND/OR SOCIAL DISTANCING REQUIREMENT*



KEY QUESTIONS	
•	State requirements for distance learning in the SOA?
•	Clarity on Definition of ADM
•	Waiver of Accreditation
•	Definition of a "school day"?
•	SOLs – What is essential?

SOURCE: VDOE guidance document, "Recover, Redesign, Restart."

EXHIBIT C-2

Guidance for school operations for governor’s phased reopening

	<i>Phase I</i>	<i>Phase II</i>	<i>Phase III</i>
<i>In-Person Instruction</i>	<i>In addition to child care programs and schools issued a variance; programs may be offered to special education students</i>	<i>All previously permitted options, plus in-person instruction for Preschool thru third Grade; instruction for English Learners; and summer camp programs in school buildings are permitted</i>	<i>In-person instruction can be offered for all students, however physical distancing measures should be implemented</i>
<i>Gathering Limits (applies to offices, classrooms, cafeterias, auditoriums, graduation ceremonies, etc.)</i>	<i>Max size of 10 individuals per room or bus</i>	<i>Gathering limit increased to 50 if other physical distancing measures are in place</i>	<i>Gathering limit increased to 250 if other physical distancing measures are in place</i>
<i>Physical distancing</i>	<i>Maintain six foot separation between desks, tables and workstations; and between students and staff to the greatest extent possible</i>	<i>Maintain six foot separation to the greatest extent possible</i>	<i>Maintain six feet of physical distance to the greatest extent possible; however, if six feet of distance is not feasible, schools should implement a combination of face coverings and a minimum of three feet distance between everyone present.</i>
<i>Bus Capacity</i>	<i>Six foot distancing with a max capacity of 10 students</i>	<i>Physical distance should be created between children on school buses when possible</i>	<i>Physical distance should be created between children on school buses when possible</i>
<i>Recess</i>	<i>Groups of 10 or less, physically distanced</i>	<i>Groups of 50 or less, physically distanced, and with minimal mixing of groups</i>	<i>Consider limiting the size of groups participating in outdoor activities/recess, with a priority on physical distancing and limiting mixing of classrooms</i>
<i>Health Screenings and Temperature Checks</i>	<i>If possible, conduct daily health screenings for symptoms and history of exposure for students and staff</i>	<i>If possible, conduct daily health screenings for symptoms and history of exposure for students and staff</i>	<i>If possible, conduct daily health screenings for symptoms and history of exposure for students and staff</i>
<i>Face coverings</i>	<i>Cloth face coverings should be worn by staff in times when at least six foot physical distancing cannot be maintained. Schools should encourage the use of face coverings for students as developmentally appropriate in settings where six feet of physical distancing cannot be maintained.</i>	<i>Cloth face coverings should be worn by staff in times when at least six foot physical distancing cannot be maintained. Schools should encourage the use of face coverings for students as developmentally appropriate in settings where six feet of physical distancing cannot be maintained.</i>	<i>Cloth face coverings should be worn by staff in times when at least six foot physical distancing cannot be maintained. Schools should encourage the use of face coverings for students as developmentally appropriate in settings where six feet of physical distancing cannot be maintained.</i>

SOURCE: VDOE guidance document, “Recover, Redesign, Restart.”

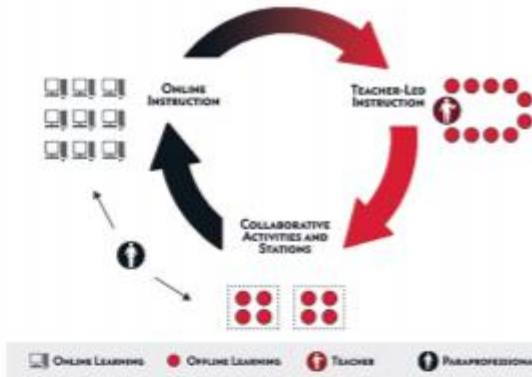
EXHIBIT C-3

Example schedules for various return to school models (e.g. hybrid schedule)

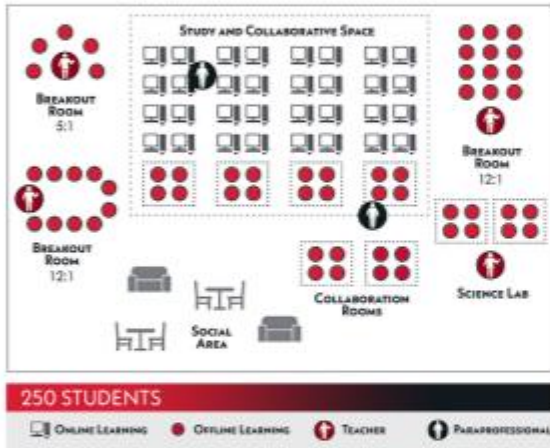
COMMON MODELS FOR BLENDED LEARNING

STATION/LAB ROTATIONS

Students rotate through a teacher-led station, collaborative work, and independent online instruction within a class period. The online station may be in a computer lab or in a classroom utilizing one-to-one devices, or a bank of devices, where students complete assignments or instructional explorations at their own pace.



Used with permission from the [Christman Institute](#).  
 Baker, H., & Han, M. B. (2021). *Classifying K-12 blended learning*. Christman Institute.



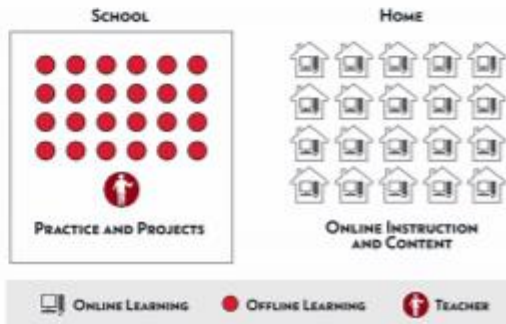
Used with permission from the [Christman Institute](#).  
 Baker, H., & Han, M. B. (2021). *Classifying K-12 blended learning*. Christman Institute.

FLEX MODEL

A 'Flex' model uses a LMS to deliver instructional content and activities. Student learning can be completed at their own pace and choice in online activities allows for differentiation. Student learning is supported by face-to-face instruction that is varied based on data. Teachers use flexible grouping to provide differentiated activities.

FLIPPED CLASSROOM

In 'Flipped' classrooms, students use online instructional resources that have been assigned through a LMS. Teachers support online learning with face-to-face instruction. The face-to-face time is structured to include activities, practice with feedback, and collaborative tasks/projects.



Used with permission from the [Christman Institute](#).  
 Baker, H., & Han, M. B. (2021). *Classifying K-12 blended learning*. Christman Institute.

SOURCE: VDOE guidance document, "Recover, Redesign, Restart."

## **School divisions generally reported being satisfied with VDOE’s guidance, though media reports reflect substantial dissatisfaction among parents**

JLARC surveyed school divisions twice to obtain their perspective on VDOE’s guidance on the pandemic as it unfolded. The first survey was administered in late May, after the governor had closed schools but before the decision to allow re-opening had been made. The second survey was administered in mid-August, following the release of guidance on re-opening and school boards deciding whether and how to reopen in September.

In May, school divisions were generally satisfied with VDOE’s guidance as schools closed. Divisions were asked several questions about the guidance VDOE provided them as well as their interactions with VDOE staff. The vast majority of divisions either strongly agreed or agreed that the guidance provided was helpful. For example, 88 percent of divisions either strongly agreed or agreed that VDOE’s guidance on COVID-19 was complete and comprehensive. The vast majority of divisions (94 percent) also either strongly agreed or agreed that VDOE staff were responsive to their questions. Over 94 percent indicated that VDOE’s overall efforts were helpful to their division (Figure C-1).

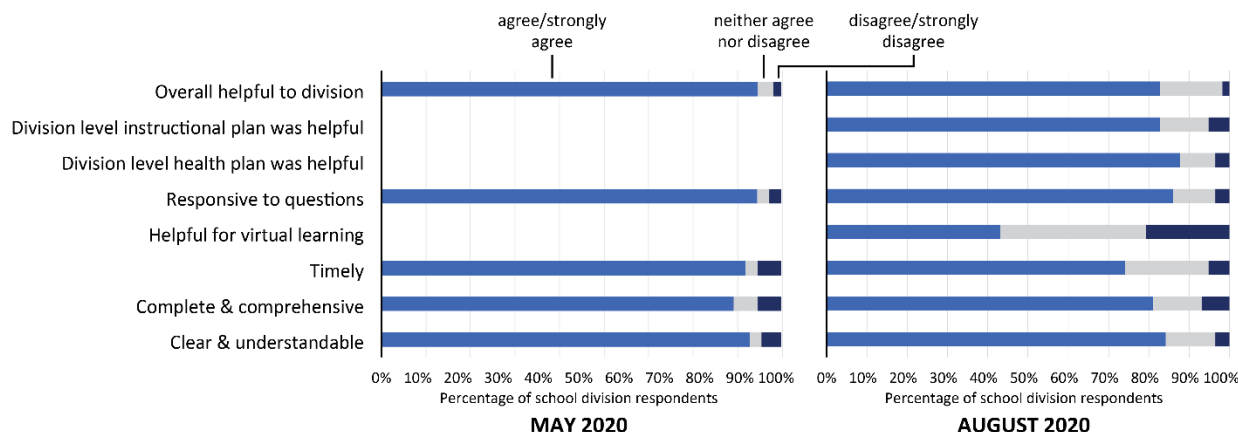
The responses below from school divisions illustrate the level of satisfaction but also some frustrations with VDOE during the pandemic response in the spring (May 2020):

- “The regularity with which DOE has met with and updated superintendents has been commendable. Although the situation remains very fluid, DOE has given us the right amount of information to reasonably plan for the immediate and some of what may happen in the future. Updates which have budgetary implications have been much appreciated and allowed us to be better informed when speaking with staff, board, and community members.”
- “I believe that VDOE has done a good job communicating with school divisions. Sometimes the communications are overwhelming. The frustrating thing is that information changes from one week to the next. I’m sure it’s not VDOE's fault as we are all navigating uncharted waters.”
- “There has been lag time in the decisions, committees and reports with a lack of decisive leadership decisions, especially with regard to the reopening of schools. Waivers and applications for funding have been lagging. While much of this is due to the lag from the Feds and the Governor’s Office in terms of their response, Virginia and its VDOE leadership needs to be more direct in its responses and clear in its approach to how we are going to consistently open or reopen our schools.”

School divisions remained generally satisfied with VDOE’s guidance in preparing for the 2020–21 academic year, when surveyed in August regarding VDOE’s ongoing response to COVID-19. Again, the vast majority of divisions either strongly agreed or agreed that the guidance provided by VDOE was helpful. For example, 81 percent of divisions either strongly agreed or agreed that VDOE’s guidance on COVID-19 was complete and comprehensive. The vast majority of divisions (86 percent) also either strongly agreed or agreed that VDOE staff were responsive to their questions. About 83 percent indicated that VDOE’s overall efforts were helpful to their division.



**FIGURE C-1**  
**School divisions were generally satisfied with VDOE guidance and staff assistance**



SOURCE: JLARC surveys of school divisions, May and August 2020.

NOTE: Questions related to VDOE’s guidance for virtual learning and the usefulness of the development of a health plan and instructional plan were not asked in the May survey of school divisions.

JLARC’s August 2020 survey of school divisions covered three topics in addition to those covered in the May 2020 survey. These three additional questions asked divisions to report the usefulness of 1) VDOE’s guidance related to developing virtual learning, 2) a health plan, and 3) an instructional plan. Overall, just 43 percent of divisions agreed that VDOE’s support and guidance for virtual learning has been sufficient for their division to transition to an increased reliance on virtual learning for the 2020–21 academic year; with another 36 percent of school divisions neither agreeing nor disagreeing with the sufficiency of VDOE’s support for virtual learning (see Chapter 3). On the other hand, over 80 percent of divisions agreed that the health plans and instructional plans they were required to develop was useful.

One theme from August 2020 survey responses was that school divisions wanted stronger state guidance, from VDOE, VDH, the General Assembly, or the governor’s office, about when it would be appropriate to allow in person instruction in their locality. One school division staff stated: “It’s unfortunate that the VDOE guidance is only that, guidance, and that local school divisions have been left hanging in the wind. I understand that isn’t VDOE’s fault, necessarily, but perhaps VDOE’s guidance could be given more weight through action of the [General Assembly] so that we don’t have 133 school divisions trying to make these critical and politically charged decisions.” Similarly, another staff in another division indicated: “I feel that DOE or VDH should or could have done a better job of determining which school divisions were safe to go back to school or who should be totally virtual. School divisions in my opinion could have been color coded by the [number] of cases, ages of people, and other data. I do not think the task should have been left totally to the local school division without more assistance from VDH, DOE, or the governor’s office.”

The responses below from school divisions illustrate the level of satisfaction, but also some of the frustrations with VDOE during the pandemic response in the lead up to the 2020–21 academic year (August 2020):

- “Dr. Lane and his staff have been great to communicate, answer questions, and provide guidance. VDOE, like each school division, has been placed in a ‘no win’ situation.”
- “Thank you for the comprehensive and responsive way the VADOE has assisted school divisions during the COVID-19 pandemic. Your efforts are valued and appreciated. Good job...Dr. Lane! Keep up the important work!”
- “My opinion is that Dr. Lane and his staff have handled a super challenging situation very well in terms of transparency, communication, hands on / hands off, and empathy. Thanks!”
- “The state guidance was often evolving as was to be expected. However, while the guidance was often helpful it was not always as detailed or timely as would have been ideal. However, it is understood giving the conditions everyone is working under.”
- “Dr. Lane and VDOE staff have been immensely responsive, helpful, understanding, and proactive in helping school districts plan for multiple scenarios given the current landscape of community and state health. The planning documents were very useful and provided excellent guidance for the creation of individualized plans. The weekly phone calls with Dr. Lane and state-level experts have been above and beyond the call of duty to ensure school superintendents are all receiving the same information to make the right decisions for their communities.”
- “VDOE’s weekly meetings provided good information and answered many questions related to COVID-19. However, after weeks of information gathering I was in need of more synthesis of the information so I could make decisions necessary for the operation of the division. VDOE did a good job decimating information. However, in times of uncertainty and complexity, decision making constructs are needed to help guide policy, discussions and decision making. It would have been useful to have this level of support from VDOE staff.”
- “Guidance from VDOE is sometimes a moving target. For example, divisions were required to submit the health mitigation plan, but we’ve been pulled in at least 6 different directions for advisement with no solid backing...translation, we’re on our own.”
- “[Sometime the guidance was not timely]: 1) Consideration for divisions not on a “traditional” schedule needed. Often felt as though discussion and suggestions focused on divisions that open post-Labor Day rather than being inclusive of those that open pre-Labor Day. 2) Information re virtual learning expectations not yet released—expected Friday [8-14], August 14—but some divisions already have opened and others already have plans in place and communicated. The timing seems to be behind the schedule on which school divisions are working.”
- “New and updated guidance has at times been overwhelming—especially to a small school division that has only a few administrators.”

Across the Commonwealth, school boards weighed the risks and benefits of in-person and virtual instruction. Parents, teachers, and other school employees wrote e-mails and letters to school division staff and school board members, and attended meetings (usually virtually) to express their concerns. Changing quantities of positive cases and fluctuations in positive testing rates further complicated the decision about when and how to reopen schools.



EXHIBIT C-4

Media accounts reflected the challenges and issues associated with COVID-19



**As COVID-19 numbers increase, Virginia schools face new challenges in reopening**



**Virginia schools paying millions for coronavirus protections for fall reopening**



**Weary parents in D.C. region brace for more all-virtual school**

Online, in-person or both: Across Virginia, school reopening is the hot-button issue of the summer



**WATCH NOW: Dozens of Hanover teachers, parents hold car rally against five-day school reopening plan**

As Richmond-area kids head back to virtual school, working parents are in 'panic mode' to balance it all



**Waynesboro School Board meeting ends with angry voices**

SOURCE: Various media outlet websites.

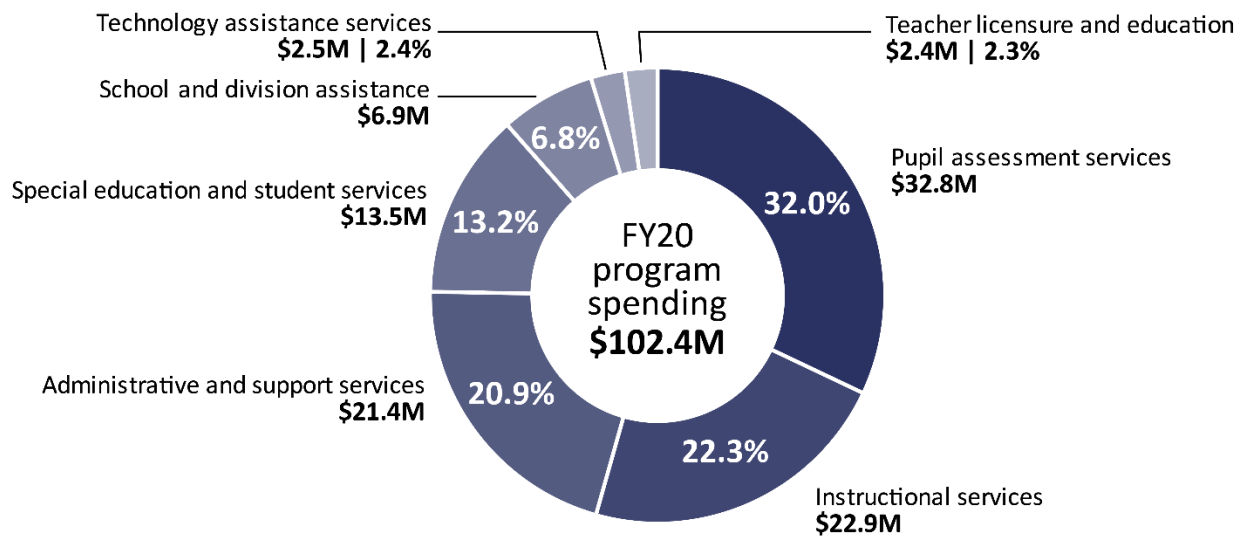
## Appendix D: VDOE spending, staffing, & recent hiring

### VDOE expenditures

In the most recent fiscal year, FY20, VDOE spent \$102.4 million (Figure D-1). The largest categories of spending were:

- pupil assessment services, which fund the state testing contract with Pearson (\$30.1 million) as well as student assessment staff at VDOE;
- instructional services, which primarily support curriculum development and content area expertise at VDOE; and
- administrative and support services, which include agency leadership, IT, and budgeting staff.

**FIGURE D-1**  
Majority of VDOE expenditures spent on testing, curriculum, and administrative services

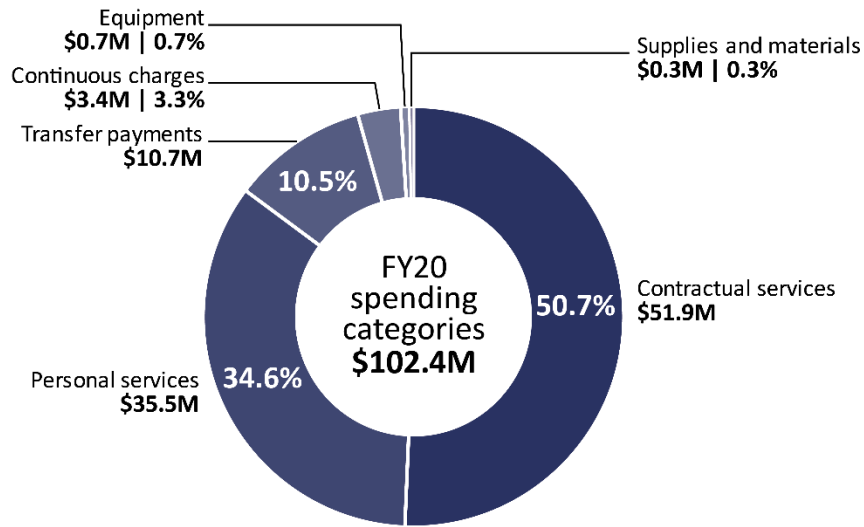


SOURCE: VDOE expenditure data, FY20.

NOTES: Pupil assessment services expenditures are spent on VDOE’s testing contract with Pearson and staffing in the Office of Student Assessment. Instructional services expenditures include staffing in the Department of Learning and Innovation, and some staffing from the Office of School Quality. Administrative and support services expenditures include personnel costs for executive leadership staff, finance and budget staff, the Office of Human Capital, and IT services.

When FY20 spending is analyzed by category, contractual services (largely the Pearson testing contract) and personal services (staff salaries and benefits) constitute over 85 percent of costs (Figure D-2).

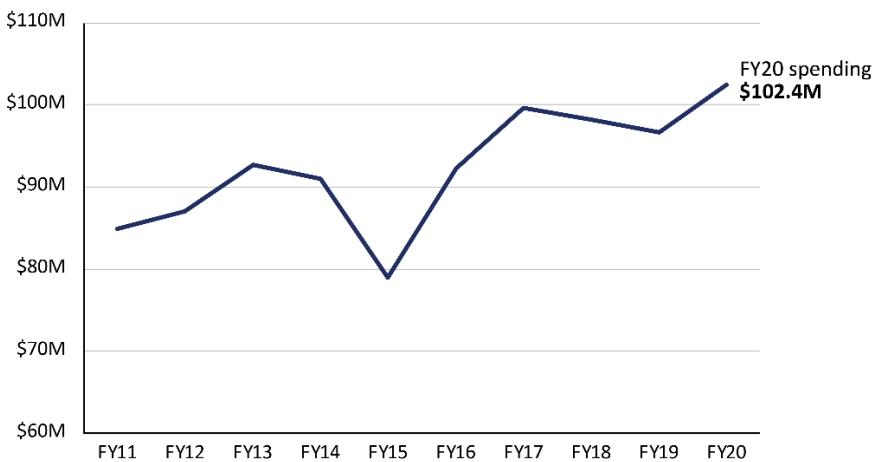
**FIGURE D-2**  
**Majority of VDOE expenditures spent on contracts and personnel costs**



SOURCE: VDOE expenditure data, FY20

VDOE’s spending increased nearly 21 percent from \$84.9 million in FY11 to \$102.4 million in FY20, before adjusting for inflation (Figure D-3). The greatest spending increases occurred in school and division assistance (which includes school improvement, school nutrition, and pupil transportation); instructional services; and administrative and support services (Figure D-4). Pupil assessment spending, the largest category of spending at VDOE, decreased as the number of standardized tests decreased and VDOE eliminated other contractual services provided by Pearson to reduce contract costs (such as some test results reporting and in-person professional development for school testing coordinators). The spending reduction for Pearson testing contract was primarily responsible for the decrease in total agency spending in FY15.

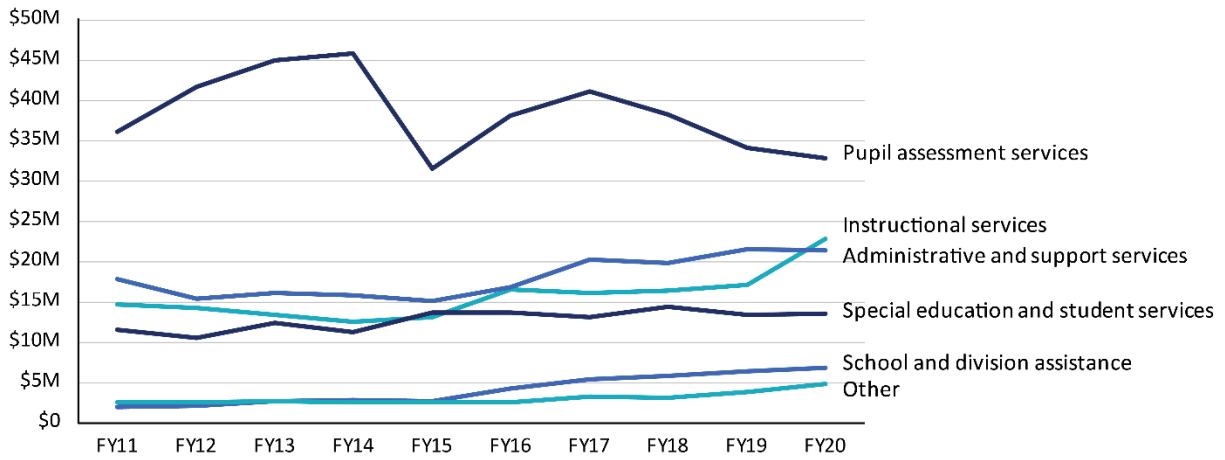
**FIGURE D-3**  
**Expenditures have increased in the last decade, despite drop in FY15**



SOURCE: VDOE expenditure data, FY11–FY20.

**FIGURE D-4**

**Largest spending increases were on school and division assistance, instructional services, and administrative services**



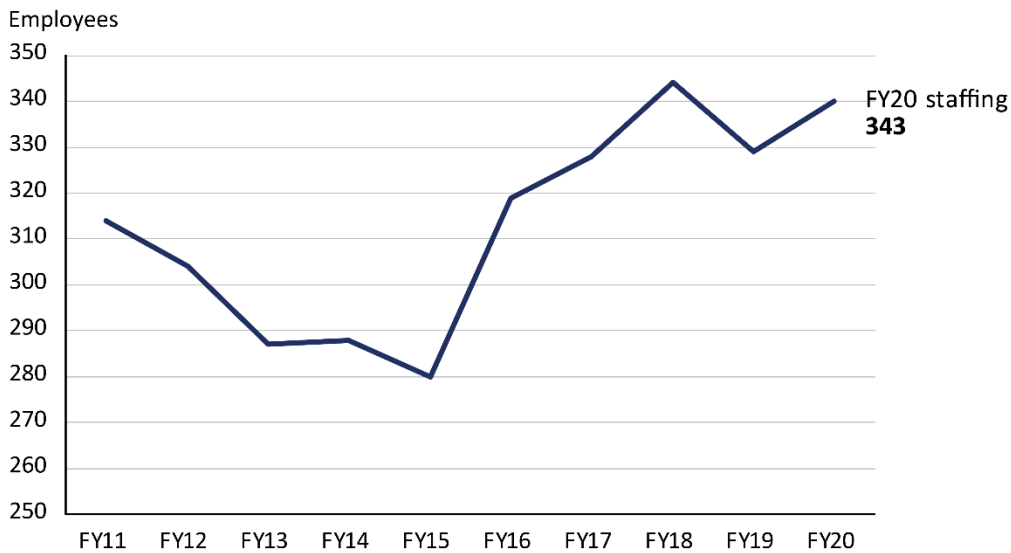
SOURCE: VDOE expenditure data, FY11–FY20.

**VDOE staffing**

VDOE’s staffing levels decreased following the Great Recession but have rebounded in recent years. In FY11, VDOE had 328 staff. Staff levels then declined to a low of 280 in FY15. Since then, staffing has increased to 343 in FY20 (Figure D-5). This includes both full- and part-time staff.

**FIGURE D-5**

**Staffing levels decreased from FY11 to FY15, but have since increased**

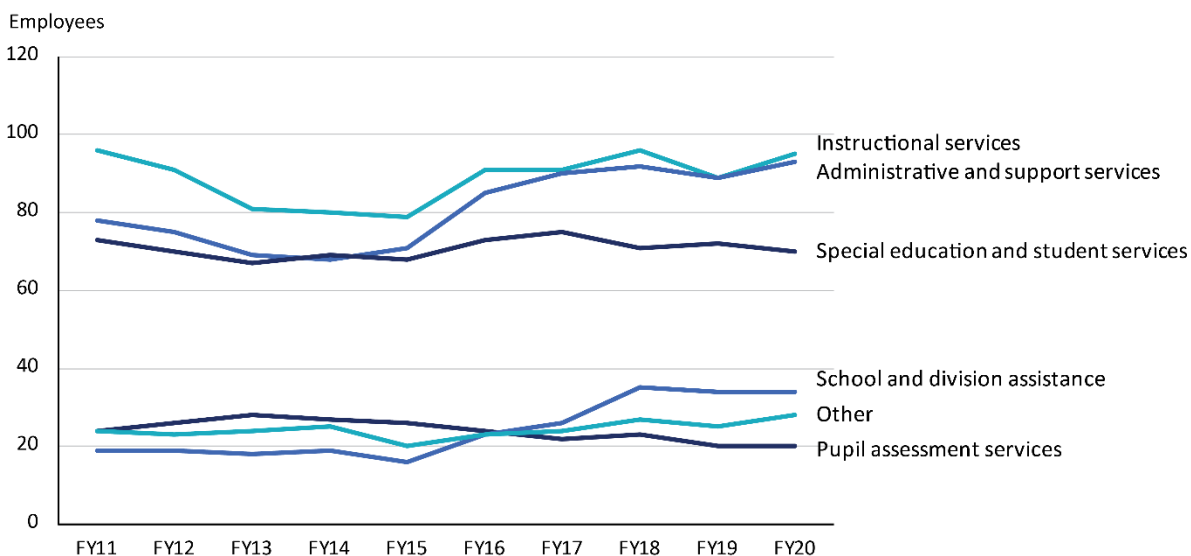


SOURCE: DHRM staffing data for VDOE, FY11–FY20.

NOTES: Staffing data is from December 31 of each fiscal year. Staffing levels include full- and part-time staff.

The greatest areas of growth in staffing, from FY11 to FY20, were school and division assistance (15 additional staff primarily in the Office of School Nutrition) and administrative and support services (15 additional staff). All other areas saw slight decreases in staffing levels (Figure D-6).

**FIGURE D-6**  
**Staffing increases driven by growth in school and division assistance and administrative and support services**



SOURCE: DHRM staffing data for VDOE, FY11–FY20.

NOTES: Staffing data is from December 31 of each fiscal year. Staffing levels include full- and part-time staff.

***Leadership staffing changes caused some staff concern, but agency followed state human resources policies***

VDOE’s leadership has seen significant changes since June 2018 (around the time of the agency reorganization). The agency hired 15 individuals for leadership positions from outside the agency, including: one of two deputy superintendents, five of seven assistant superintendents, the chief school readiness officer, the chief information security officer, and seven of 31 office director positions. While several new hires in leadership positions were due to *newly created* positions, eight assistant superintendents, senior-level officers, and office directors have left VDOE since June 2018 when the agency reorganization began. In some cases, staff were demoted to a lower-level position or asked to leave for performance issues.

Some VDOE staff perceive that new hires in leadership positions were given preference because of previous working or professional relationships with the superintendent of public instruction. Several staff members expressed concern, both in survey responses and interviews, about the number of leadership positions filled by former colleagues of the superintendent. Of 16 new hires in senior leadership and office director positions, six most recently worked with the superintendent in a previous capacity, before his appointment. Another four of the 16 new hires were from other school divisions in the Richmond metropolitan region. Some VDOE staff indicated that having such a large

proportion of agency leadership that shares similar backgrounds and professional experiences results in a lack of diversity in thinking and perspectives, which could hinder VDOE's ability to support various school divisions and student populations across Virginia.

Despite the concerns expressed, JLARC found no evidence of inappropriate hiring practices, and new hires in leadership appear qualified for their roles. VDOE followed Department of Human Resource Management requirements when recruiting and hiring classified positions. According to information and data provided by VDOE's Office of Human Capital, VDOE:

- runs job postings for at least five business days;
- includes information about the role, working title, and salary range in job postings;
- screens applicants for minimum qualifications established for the position; and
- interviews candidates using a diverse selection panels to conduct interviews.

New staff also generally have relevant past work experience related to their roles at VDOE (e.g., former division superintendent, former chief financial officer at a school division).

Furthermore, JLARC staff did not find evidence that the new hires in agency leadership and management positions have negatively affected agency operations. In several cases they have improved them. Recently hired agency leadership staff were often viewed positively. In interviews and in review of survey responses, JLARC did not identify problems with the ability of new leadership staff to perform their responsibilities (beyond the typical learning curve for any new employee).

Recently hired agency leadership and management staff were often viewed positively by other VDOE staff, school divisions, and other stakeholders. Several school division superintendents spoke highly of the shift in VDOE culture that occurred because many new staff in leadership positions have recent school division experience, with one superintendent stating: "Dr. Lane has built a team of leaders with far more recent experience in school divisions than the DOE has ever had in my 15 years as a superintendent. It has made a huge difference having more people in the department with division-level leadership experience...a truly huge difference!" Furthermore, other VDOE staff generally had a positive view of new leadership and management staff, especially when asked about an individual manager in isolation (rather than as part of the broader "new" group).

## Appendix E: VDOE coordination with key partners

VDOE is required to coordinate with several other state agencies to accomplish specific tasks directed by federal or state law. For example, VDOE works with the Virginia Department of Social Services (VDSS) across several program areas, such as family services, early childhood development, and benefits, particularly food assistance. Other agencies with which VDOE works regularly include the Department for Aging and Rehabilitative Services (DARS), the Department of Criminal Justice Services (DCJS), and the Virginia School for the Deaf and the Blind (VSDB). Furthermore, VDOE is required to coordinate with certain state boards and commissions, typically through the appointment of the superintendent of public instruction or a designee to such entities.

Other state agencies generally consider VDOE to be an effective partner for shared initiatives, according to a JLARC survey. Agencies rated VDOE’s overall level of collaboration on shared initiatives as “effective” for 42 of 48 of programs and “somewhat effective” for five programs, with just one program area being rated as ineffective. In addition, state agencies responding to the survey rated VDOE’s coordination on shared programs across several factors, such as responsiveness of VDOE staff, whether VDOE staff were collaborative, and the adequacy of the level of resources dedicated to each initiative by VDOE (Table E-1). Finally, of the 48 programs and initiatives identified by other state agencies, 11 were rated as having improved during the last 12 months, none were rated as having gotten worse, and the remainder were rated as “no change.”

**TABLE E-1**  
**State agencies rated VDOE highly across all dimensions of coordination**

	<b>Somewhat effective or better</b>	<b>Not effective</b>
Overall coordination with VDOE	47 (98%)	1 (2%)
VDOE staff: responsive	48 (100%)	0
VDOE staff: collaborative	47 (98%)	1 (2%)
VDOE staff: knowledgeable	48 (100%)	0
	<b>Adequate</b>	<b>Inadequate</b>
Resource level devoted by VDOE	44 (92%)	4 (8%)

SOURCE: JLARC survey of key state agencies identified as having shared initiatives with VDOE (sidebar).

JLARC staff administered a survey to 12 state agencies that partner with VDOE and received responses from nine (75%). Respondents provided background information about shared initiatives, rated VDOE on specific dimensions of collaboration, and identified areas for improvement, if any. The survey was not distributed to two key partner agencies—the Virginia Department of Health and Virginia Employment Commission—due to their extraordinary responsibilities related to the COVID-19 pandemic. (Appendix B)

VCCS and VDOE indicated that coordination between the two agencies related to career and technical education (CTE) was ineffective, mainly due to the lack of communication between the two agencies. Coordination between the two agencies is required because VDOE administers the federal Perkins grant that funds CTE in high school and postsecondary settings such as community colleges, and the

Board of Education is the state’s board for CTE. In particular, VCCS staff expressed dissatisfaction with the timeliness of VDOE’s CTE-related communications, including receiving late or no notice about upcoming events, such as federal monitoring visits or presentations to the Board of Education. This has resulted in VCCS staff feeling less than fully informed and prepared. VDOE leadership staff agreed that communication with other agencies related to CTE could be improved. Furthermore, relative to other areas of the agency, staff in VDOE’s Office of CTE were less likely to agree that their office communicates well with external parties.

VDOE also effectively coordinates and collaborates with non-government stakeholders on shared initiatives or to address shared goals. Stakeholder groups partner with VDOE on efforts such as professional development initiatives or representation on VDOE’s advisory committees. All non-government stakeholders interviewed expressed positive or neutral overall views of VDOE, with many speaking especially highly of the individual VDOE staff with whom they interact most frequently.

School divisions also described effective collaboration and relationships between VDOE and non-government stakeholders. For example, 90 percent of school divisions responding to JLARC’s survey agreed that “VDOE has effective relationships with non-governmental partners such as professional and lobbying organizations,” with nearly half indicating that they *strongly* agreed.

In addition to the survey of other state agencies (Table E-2), VDOE staff provided descriptions of all mandatory coordination obligations of the superintendent of public instruction, including information about designees, where appropriate (Table E-3 and Table E-4). This was done to gain a better understanding of the agencies, boards, commissions, and work groups with which VDOE plays a role.

**TABLE E-2**  
**Results of survey of state government partners**

<b>Agency</b>	<b>Program</b>	<b>Overall rating</b>	<b>Trend</b>
<b>VSDB</b>	VSDB School	Extremely effective	Remained the same
<b>VDSS</b>	Cross-agency implementation of ESSA provisions (Division of Family Services)	Extremely effective	Remained the same
<b>VDSS</b>	COVID collaborative workgroup	Extremely effective	Remained the same
<b>VDSS</b>	Aggregate data sharing	Very effective	Remained the same
<b>VDSS</b>	Anticipated: Statewide Prevention Plan	Very effective	Remained the same
<b>VDSS</b>	MOA to collaboratively address abuse/neglect	Very effective	Remained the same
<b>VDSS</b>	VLDS research project	Extremely effective	Remained the same
<b>VDSS</b>	VLDS data sharing and research grant	Effective	Remained the same



Appendixes

<b>Agency</b>	<b>Program</b>	<b>Overall rating</b>	<b>Trend</b>
<b>VDSS</b>	Cross-agency implementation of ESSA provisions (early childhood)	Effective	Remained the same
<b>VDSS</b>	Head Start Collaboration Advisory Council	Extremely effective	Remained the same
<b>VDSS</b>	Biennial count of 4-Year-Old Head Start children	Extremely effective	Improved
<b>VDSS</b>	Preschool Development Grant committees	Effective	Remained the same
<b>VDSS</b>	Planning and coordination for early childhood consolidation	Effective	Remained the same
<b>VDSS</b>	SNAP (direct certification for National School Lunch Program)	Extremely effective	Remained the same
<b>VDSS</b>	Summer Food Service Program	Extremely effective	Improved
<b>VDSS</b>	SNAP (Summer EBT and Pandemic EBT)	Effective	Remained the same
<b>VCCS</b>	Carl D. Perkins Grant	Not effective	Remained the same
<b>VCCS</b>	Virginia Education Wizard	Effective	Improved
<b>VCCS</b>	Dual enrollment	Somewhat effective	Remained the same
<b>VCCS</b>	Teacher licensure	Effective	Remained the same
<b>VCCS</b>	College readiness pathways	Effective	Remained the same
<b>VCCS</b>	Adult education	Somewhat effective	Remained the same
<b>SCHEV</b>	GEAR UP Virginia	Extremely effective	Remained the same
<b>SCHEV</b>	College Access Initiatives	Effective	Remained the same
<b>SCHEV</b>	Communications	Effective	Improved
<b>SCHEV</b>	Virginia Education Wizard	Effective	Remained the same
<b>SCHEV</b>	Virginia Longitudinal Data System (VLDS)	Effective	Remained the same
<b>SCHEV</b>	Granville P. Meade Scholarship	Very effective	Remained the same
<b>SCHEV</b>	COVID-related communications	Effective	Remained the same

Appendixes

<b>Agency</b>	<b>Program</b>	<b>Overall rating</b>	<b>Trend</b>
<b>SCHEV</b>	Dual enrollment	Effective	Remained the same
<b>SCHEV</b>	Teacher education	Effective	Remained the same
<b>OCS</b>	Program 453: Financial Assistance to Localities	Extremely effective	Remained the same
<b>OCS</b>	Collaboration regarding special education private day placements and general special education issues	Extremely effective	Improved
<b>DBVI</b>	IDEA Funding	Extremely effective	Improved
<b>DBVI</b>	DBVI/Local school division cooperative agreements	Effective	Improved
<b>Workforce Development Board</b>	Title II funds (via Workforce Investment Opportunity Act)	Very effective	Remained the same
<b>DCJS</b>	Threat assessment curriculum update	Very effective	Remained the same
<b>DCJS</b>	Suicide risk assessment and threat assessment and management	Extremely effective	Remained the same
<b>DCJS</b>	Virginia School Survey of Climate and Working Conditions	Extremely effective	Improved
<b>DCJS</b>	VDOE and DCJS Memorandum of Understanding	Extremely effective	Improved
<b>DCJS</b>	Suicide prevention programming	Extremely effective	Improved
<b>DCJS</b>	Trauma informed programming	Extremely effective	Improved
<b>DARS</b>	Vocational rehabilitation program (VR)	Effective	Remained the same
<b>DARS</b>	VR-child count	Somewhat effective	Remained the same
<b>DARS</b>	VR- transition services	Somewhat effective	Remained the same
<b>DARS</b>	VR - information to local education agencies	Somewhat effective	Remained the same
<b>DARS</b>	Postsecondary Education Rehabilitation Transition (PERT) Program	Extremely effective	Remained the same
<b>DARS</b>	Virginia Longitudinal Data System	Extremely effective	Remained the same

SOURCE: JLARC survey of key state agencies identified as having shared initiatives with VDOE.

NOTE: Survey was not distributed to two key partner agencies—the Virginia Department of Health and Virginia Employment Commission—due to their extraordinary responsibilities related to the COVID-19 pandemic.

**TABLE E-3**  
**Superintendent's commitments: Statutory requirements**

<b>Citation</b>	<b>Entity</b>	<b>Fulfillment</b>
§ 2.2-208.1	School Readiness Committee	The superintendent of public instruction attends these meetings.
§ 2.2-401.01	Virginia Indian Advisory Board	Director of the Office of Equity and Community Engagement is designee. The superintendent of public instruction attends frequently.
§ 2.2-2648	State Executive Council for Children's Services	Assistant superintendent of special education and student services staffs these meetings.
§ 2.2-2664	Virginia Interagency Coordinating Council	Early childhood special education specialist serves on the council.
§ 2.2-2696	Substance Abuse Services Council	Director of the Office of Student Services serves as the alternate. Most of the membership is served by alternates.
§ 9.1-111	Advisory Committee on Juvenile Justice and Prevention	Director of the Office of Student Services staffs this committee.
§ 22.1-23	Board of Education	Staff assigned to Board of Education to support this role; superintendent attends and participates in all meetings and committees.
§ 22.1-23	Liaison to the State Council of Higher Education for Virginia and the State Board for Community Colleges	Chief of staff and deputy superintendent of School Quality, Instruction serves as VDOE representative.
§ 22.1-164	Virginia Public School Authority	Deputy superintendent of budget, finance, and operations is the superintendent of public instruction's designee and attends all meetings
§ 22.1-212.2	Virtual Learning Advisory Committee	The superintendent of public instruction has attended some of these meetings. Staffed by two staff from the Office of STEM and Innovation.
§ 22.1-253:10	SOL Innovation Committee	The superintendent of public instruction served on this prior to repeal.
§ 22.1-305.2	Advisory Board on Teacher Education and Licensure	Assistant superintendent of teacher education and licensure, staffs this committee and serves as the superintendent of public instruction's designee.
§ 22.1-337	Education Commission of the States	The superintendent of public instruction attends these meetings regularly.

<b>Citation</b>	<b>Entity</b>	<b>Fulfillment</b>
§ 22.1-346.2	Board of Visitors of the Virginia School for the Deaf and the Blind	Specialist for deaf, hearing impairments, blind, visual impairments and deaf-blindness. Office of Instructional Services serves as the consultant.
§ 22.1-361	Virginia Council on the Interstate Compact on Educational Opportunity for Military Children	The superintendent of public instruction chairs the council.
§ 23.1-200	State Council of Higher Education	Chief of staff and deputy superintendent of school quality, instruction, and performance serves as agency representative. Director of the Office of Equity and Community Engagement attends as well.
§ 30-326	Autism Advisory Council	Assistant superintendent of special education and student services is designee.
§ 30-348	Commission on Civic Education	Two staff from Office of Humanities serve as agency staff and designees.
§ 30-376	Commission on School Construction and Modernization	Commitment will be effective July 1, 2020. Will be managed by staff from the Office of Support Services.
§ 32.1-283.1	State Child Fatality Review Team	VDOE's school psychologist specialist serves as the superintendent's designee.

SOURCE: VDOE.

**TABLE E-4**  
**Superintendent's commitments: Project-based commitments**

<b>Citation</b>	<b>Description</b>	<b>Fulfillment</b>
§ 2.2-604.2	Designate energy manager to serve as agency point of contact with Department of Mines, Minerals and Energy and Department of General Services on energy efficiency in agency buildings.	Position effective July 1, 2020. Will be assigned to Office of Support Services.
§ 22.1-23 § 32.1-19	Along with the state health commissioner, work to combat childhood obesity and other chronic health conditions that affect school-age children.	Current initiatives/partnerships include: Virginia Foundation for Healthy Youth, No Kid Hungry, oversight of School Nutrition Programs, and Health SOLs.
§ 22.1-23.2	The superintendent of public instruction shall identify any survey, questionnaire, inquiry, or other communication that requires a response from a school board or division superintendent as required by this title, board regulations, the superintendent, the department, or other state agencies and shall, in collaboration with any identified requesting en-	Office of Data Services does an annual review of data collection efforts and consolidates processes.

Appendixes

Citation	Description	Fulfillment
	<p>tity, work to consolidate, as much as practicable, all such surveys, questionnaires, inquiries, and other communications in order to reduce the administrative burden of such response.</p>	
§ 22.1-270.	<p>Parents of entering [preschool and elementary] students shall complete a health information form, which shall be distributed by local school divisions. These forms shall be developed and provided jointly by the Department of Education and Department of Health, or developed and provided by the school division and approved by the superintendent of public instruction.</p>	<p>Managed by Office of Student Services.</p>
§ 22.1-273	<p>The superintendent of public instruction shall prepare or cause to be prepared, with the advice and approval of the state health commissioner, suitable appliances for testing the hearing of the students in the public schools and necessary instructions for the use thereof.</p>	<p>Managed by Office of Student Services.</p>
§ 22.1-274.02 § 32.1-326.3	<p>The superintendent of public instruction or his designee and the director of the Department of Medical Assistance Services or his designee shall develop and execute a memorandum of agreement relating to special education health services. This memorandum of agreement shall be revised on a periodic basis; however, the agreement shall, at a minimum, be revised and executed within six months of the inauguration of a new governor in order to maintain policy integrity.</p>	<p>MOA last updated August 8, 2018. VDOE's Medicaid specialist is VDOE point of contact. Supported by Office of Student Services.</p>
§ 32.1-73.8	<p>The Department [of Health] shall, in cooperation with the Department of Behavioral Health and Developmental Services and the superintendent of public instruction, develop and administer a survey of students to facilitate planning and implementation of effective programs for the prevention of substance abuse through collection of data and information.</p>	<p>Director of the Office of Research is staff lead.</p>
§ 58.1-439.20:1	<p>The superintendent of public instruction shall work cooperatively with the commissioner of social services for purposes of administering the NAP tax credit.</p>	<p>Managed by Office of Procurement.</p>
8VAC20-81-320 §§ 22.1-7, 22.1-347, and 22.1-348	<p>The superintendent of public instruction shall approve the education programs at the Virginia School for the Deaf and the Blind at Staunton.</p>	<p>VDOE staff work in collaboration with the superintendent of the School for the Deaf and the Blind.</p>

SOURCE: VDOE.

## Appendix F: Reports submitted to VDOE by school divisions

The following tables contain information about each report school divisions were required to submit to VDOE as detailed in the 2019 annual report of the Board of Education, in compliance with § 22.1-23.2 of the Code of Virginia. Additional context about the relevant VDOE office(s) and more detailed information about the timing and method of submission is included for each report.

**TABLE F-1**  
**Reports submitted to VDOE by school divisions in compliance with federal funding requirements**

Report name	Relevant VDOE office(s)	Timing and method of submission
Student Data Collection for Homeless Children & Youth For Subgrantees	Office of ESEA Programs <i>(Note: grant administered by Project HOPE in the William &amp; Mary School of Education)</i>	October 1, 2018 (annually) Electronic (SSWS)
Integrated English Literacy/Civics Education Program Report	Office of Adult Education	August 15, 2019 (annually) Electronic
Special Education State Performance Report Indicator Data	Office of Special Education Data	Reporting Period: July 1 through June 30 (annually) Electronic (SSWS)
School Nutrition Programs Annual Financial Report for July-June	Office of School Nutrition	July 31, 2020 (annually) Electronic (SSWS, OMEGA)
School Nutrition Programs Annual Agreement	Office of School Nutrition	July 1, 2020 (annually) Electronic (SSWS, OMEGA)
School Nutrition Programs Semi-Annual Financial Report for July-December	Office of School Nutrition	January 31, 2020 (annually) Electronic (SSWS, OMEGA)
Report of Free/Reduced Meal Applications	Office of School Nutrition	November 15, 2020 (annually) Electronic (SSWS, OMEGA)
Title I, Part D, Subpart 1 and Subpart 2, Count of Children Who Are Neglected or Delinquent (N or D)	Office of ESEA Programs	November (annually) Electronic (SSWS)
Title I, Part A, Comparability Report	Office of ESEA Programs	January (annually) Electronic (SSWS)

**TABLE F-2**  
**Reports submitted to VDOE by school divisions in compliance with both federal and state funding requirements**

<b>Report name</b>	<b>Relevant VDOE office(s)</b>	<b>Timing and method of submission</b>
Adult Education and Family Literacy Act (Federal) and General Adult Education (State) Programs	Office of Adult Education	8/15/2019 (annually) Electronic
National Board Certification Incentive Award Report <i>(Note: federal subsidy was discontinued in 2013-2014)</i>	Office of Teacher Licensure	Fall 2018 (annually) Electronic
December 1 Child Count	Office of Data Services	Reporting Period: December 3 through December 21 (annually) Electronic (SSWS)
Annual Report for Discipline, Crime, and Violence	Office of Data Services Office of Student Services Office of Support Services	July 1, 2018 (regional centers) (optional monthly submission; required annually) Electronic (SSWS)
Educational Registry Application (ERA)	Office of Data Services	August (annually) Electronic (SSWS)
EOY (End-of-Year) Master Schedule Data Collection & Fall Master Schedule Data Collection/ Instructional Personnel (MSC - IPAL)	Office of Data Services	EOY - September & Fall – January (twice per year) Electronic (SSWS)
Student Record Collections (SRC) <i>(Note: also includes elements of the December 1 Child Count Collection)</i>	Office of Data Services	Fall SRC - Mid-October; Spring SRC - Mid-April; EOY SRC - Mid-July & Summer SRC - August 30 (four times per year) Electronic (SSWS)
Substitute Tests	Office of Assessment	August (annually) Electronic (SSWS)
Annual School Report - Financial Section	Office of Data Services Office of Budgeting	September 15, 2018 (September 30, 2018 with approved extension) (annually) Electronic (SSWS)
CTE Credentialing Collection (CTECC)	Office of Data Services Office of CTE	July 1, 2019 (annually) Electronic (SSWS)

**TABLE F-3**  
**Reports submitted to VDOE by school divisions in compliance with state funding requirements**

<b>Report name and citation</b>	<b>Relevant VDOE office(s)</b>	<b>Timing and method of submission</b>
New Teachers Program Report	Office of Teacher Education	Fall 2018 (annually)
HB 30 (2020), Item 145: Incentive Programs (17802)		Electronic
Mentor Teacher Program Evaluation & Pro-Office of Teacher Education gram Reports		June 2, 2019 (annually)
Item 145, Lottery Funded Programs (17805)		Electronic
Race to GED Program Report	Office of Adult Education	January 15, 2019 (twice annually)
Item 145, Lottery Funded Programs (17805)		Paper form
Supply and Demand Report for School Per-Office of Data Services sonnel		January 29, 2019 (annually)
§ 22.1-23., 4.		Electronic (SSWS)
Homebound Student Services Report	Office of Data Services	Mid-September (annually)
Item 145, Categorical Programs (17803)	Office of Student Services	Electronic (SSWS)
	Office of CTE	
PluggedIn Virginia Program Report	Office of Adult Education	July 30, 2019 (annually)
Item 145, Lottery Funded Programs (17805) ( <i>sub-category of Race to GED pro- gram appropriation</i> )		Paper form
Foster Care Enrollment Report	Office of Data Services	July 31, 2019 (annually)
§ 22.1-101.1.	Office of Budgeting	Electronic (SSWS)
Item 145, Lottery Funded Programs (17805)		
Enrollment Reports for Remedial Summer School	Office of Data Services	September 1, 2018 (annually)
§ 22.1-253.13:1.	Office of Budgeting	Electronic (SSWS)
Item 145, Standards of Quality (17801)		
Pupil Transportation Report	Office of Data Services	October (annually)
Item 145, Standards of Quality (17801), Basic Aid	Office of Support Services	Electronic (SSWS)



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Report name and citation	Relevant VDOE office(s)	Timing and method of submission
Certification of Adequate Funds Budgeted to Meet Required Local Effort for the Standards of Quality and Local Match Requirements for Certain State Funds § 22.1-253.13:8. Item 145, Standards of Quality (17801)	Office of Data Services Office of Policy Office of Budgeting	June 15, 2019 (annually) Electronic (SSWS)
Uses of At-Risk Add-on Funding Item 145, Incentive Programs (17802)	Office of Data Services Office of Budgeting	August 1, 2019 (annually) Electronic (SSWS)
K-3 Primary Class Size Reduction Program Item 145, Lottery Funded Programs (17805)	Office of Data Services Office of Budgeting	October 31, 2018 (annually) Electronic (SSWS – SRC)
Career and Technical Education Financial Report (CTEFR) for SY 2017-2018 Item 145, Lottery Funded Programs (17805)	Office of Data Services Office of CTE	April 30, 2019 (annually) Electronic (SSWS)
Secondary Enrollment Demographic Form (SEDF) Fall & EOY Reports Item 145, Lottery Funded Programs (17805)	Office of Data Services Office of CTE	January 31, 2019 (twice annually) Electronic (SSWS) (via Master Schedule Collection - MSC)
Crash/Incident Report & Certification of School Bus Insurance 8VAC20-70-140. § 22.1-189, -190.	Office of Data Services Office of Policy Office of Support Services	Report monthly; certification each August (annually) Electronic (SSWS)
Collection of Data Relative to Compliance with the Standards of Quality (SOQ) and Other Miscellaneous Reporting Requirements § 22.1-253.13:8. <i>(Note: VDOE publishes the complete list of questions and corresponding citations described as "Other Miscellaneous Reporting Requirements".)</i>	Office of Data Services Office of Policy	Mid-August (annually) Electronic (SSWS)
Wellness Related Fitness Report § 22.1-16.4.	Office of Data Services Office of STEM & Innovation	June 30, 2020 (annually) Electronic (SSWS)
Driver Education Status Questionnaire	Office of Data Services Office of STEM & Innovation	June 30, 2020 (annually) Electronic (SSWS)

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Report name and citation	Relevant VDOE office(s)	Timing and method of submission
Item 145, Standards of Quality (17801), Basic Aid		
Laboratory FEE approval	Office of Data Services	October 15, 2018 (annually)
8VAC20-340-10.	Office of STEM & Innovation	Electronic (SSWS)
Item 145, Standards of Quality (17801), Basic Aid		
Driver Education Program Approval	Office of Data Services	October 15, 2018 (annually)
8VAC20-340-10.	Office of STEM & Innovation	Electronic (SSWS)
Item 145, Standards of Quality (17801), Basic Aid		
Annual Report - Programs for the Gifted	Office of Data Services	September 28, 2018 (annually)
§ 22.1-18.1.	Office of STEM & Innovation	Electronic (SSWS)
8VAC20-40-60.		
Item 145, Standards of Quality (17801), Gifted Education		
Virginia Preschool Initiative Report	Office of Data Services	May 15, 2020 (projected; annually)
§ 22.1-289.09. (effective July 1, 2021)	Office of Early Childhood	Electronic (SSWS)
Item 145, Incentive Programs (17802), Vir- ginia Preschool Initiative – Per Pupil Amount		

# Appendix G: VDOE support and technical assistance to schools and divisions

VDOE provides support and technical assistance across a significant number of content, instructional, and operational areas. Below are the support services identified through information requests to VDOE, interviews with VDOE staff, and a review of VDOE’s website. This appendix does not include the support services provided by offices pertaining to special education, as that will be covered during the JLARC review of special education in Virginia (December 2020).

**TABLE G-1**  
**VDOE support services and technical assistance provided to schools and divisions**

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Board Relations			None	
Communications & Constituent Services				Receive and respond to constituent inquiries and share to relevant VDOE office as appropriate.
Equity & Community Engagement		Provide guidance and support regarding state initiatives such as: diversifying Virginia’s teacher pipeline, equity outcomes and the equity framework, school discipline policies and disproportionality, and African-American history curriculum development.	Provide webinars, workshops, and “chats” with equity directors and other school and division staff to discuss education equity, discrimination, racism, cultural competence, etc. Convene an annual Education Equity Summer Institute.	Convene public hearings and listening sessions for community and education stakeholder groups.
Media Relations		Provide timelines on annual roll out of assessment results and school accountability determinations.	Provide workshops for school division public information officers, focused on state-level policy making and K–12 legislation.	Receive and respond to questions regarding VDOE activities and policies, Board of Education regulations, and K–12 legislation.

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Policy	Receive and respond to questions regarding changes to or implementation of federal education law.	Receive and respond to questions regarding changes to or implementation of the Code of Virginia or Virginia education regulations. Provide guidance on submission of SOQ compliance and self-certification data collections.		
School Quality	Provide guidance and assistance regarding compliance with federal requirements and school improvement grant requirements. Includes fiscal management and compliance monitoring and approval of purchase orders.	Oversee and provide support for state-driven school quality requirements, including school- and division-level academic reviews. Provide guidance and assistance regarding compliance with state requirements, continuous improvement models, and toolkits for review of improvement practices.	Provide in-person and virtual professional development on best practices in lesson plan alignment and school improvement grants. Provide academic review and continuous school improvement planning trainings.	Collaborate with schools to identify needs and create needs assessments, continuous improvement plans, and self-monitoring protocols. Provide guidance and technical assistance regarding submission of multi-year improvement plans, school improvement grant applications, and improvement plans in accordance with federal law.
Human Capital			None	
Accountability	Provide guidance regarding compliance with federal accountability model. Maintain and provide business rule documents about accountability models.	Provide guidance regarding compliance with state accountability model. Maintain and provide business rule documents about accountability models.	Provide virtual training on accountability models and indicators.	Receive and respond to questions regarding accountability models and indicators. Provide feedback on data submissions for mandatory U.S. Department of Education Consolidated State Performance Reports.
Student Assessment		Provide guidance regarding how to conduct state testing. Provide guidance on policy interpretation regarding verified credits, gradu-		Provide guidance and technical assistance regarding coding of student data. Collaborate with divisions to use assessment data to

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Student Assessment (cont.)		ation requirements, and test administration. Receive and respond to questions regarding interpretation of scoring and accessing reports.		adjust instructional practices. Receive and respond to questions from teachers regarding test blueprint, construction, and implementation of curriculum standards in tests; regarding testing scenarios and technology during test administration.
ESEA Programs	Distribute Title I-III grants and provide guidance on ensuring compliance with grant requirements. Major grant program areas include programs at schools with a high number or percentage of: low-income students, migrant student education, neglected and delinquent prevention and intervention programs, professional development and teacher licensure, English learners, and extended learning students, as well as rural and low-income schools.		Provide annual coordinators' academies and professional conferences by federal program.	Receive and respond to questions regarding data collections required by the U.S. Department of Education, including Neglected and Delinquent students, and report for 21st Century Community Learning Centers grants. Conduct review of funding streams and participate in finance meetings for divisions under MOUs.
Student Services	Provide guidance regarding federal programs, such as provisions in ESSA for supporting children in foster care and the homeless education program. Oversee federal grant programs including state personnel development grant, school climate transformation grant program, and mental health service providers demonstration grant program.	Provide guidance on state initiatives and best practices in instructional support and comprehensive support services including school health, psychology, social work, counseling, and safety. Develop the model student code of conduct, suicide prevention guidelines, bullying prevention guidelines, child abuse and neglect reporting procedures. Support Virginia Tiered	Provide professional development on instructional support services like school health, psychology, counseling, safety; school-based mental health services; best practices in providing specialized instructional support personnel services; and school safety and discipline practices. Provide training on educational stability for staff in schools and social services.	Provide technical assistance with reports for Granville P. Meade Scholarship, Academic Career Plan, VA Wizard, Early College Scholars, diploma seals, and financial aid. Provide technical assistance for homebound and school health data collections. Collaborate with Office of School Quality as needed; attend division audits to evaluate evidence of progress toward improvement plans.

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Student Services (cont.)		Systems of Supports (VTSS). Provide guidance on transcript and attendance regulations, and Medicaid billing in schools.		
Humanities	Receive and respond to questions regarding U.S. Department of Education guidance on English learner and special education instruction.	Conduct needs assessments, and provide guidance documents and resources based on needs communicated in the field (e.g., curriculum writing guide and framework). Provide guidance and resources on instructional best practices, implementing relevant SOLs. Provide statewide screening assessment (PALS).	Develop in-person trainings, synchronous webinars, and asynchronous webinars to provide training and information on implementing and assessing relevant SOLs. Coordinate guest speakers from the field. Provide weekly update communication with news, announcements, and resources from VDOE. Provide SOL Institutes and Deeper Learning Conferences.	Provide technical assistance, as needed, to practitioners in education associations (VASSP, VAESP, etc.)
STEM & Innovation	Provide guidance on Virtual Virginia, related to CARES Act. Distribute sub-grants for traffic safety, innovation summit, and several Title II programs. Provides guidance and technical assistance to grant sub-recipients.	Provide guidance and resources on instructional best practices, teaching within the framework of relevant SOLs, comparisons to Common Core, and more. Provides nutrition and physical activity best practices database. Provides guidance on Project Graduation. Distribute grants for extended school year and year-round schools, high school innovation grant, STEM competition grant, VPI provisionally licensed teacher program, and summer governor school awards. Manage and provide guidance on Virtual Virginia and the Multi-division Online Provider Program.	Provide professional development, webinars, videos, and SOL Institutes for teachers in relevant subject areas on implementation of SOLs, planning for instruction, and use of technology to support instruction. Provide CPR training for teacher licensure. Host new coordinators workshop for gifted education coordinators. Provide training on GoOpenVA. Provide best practices in online and blended learning, curricular support, learning management systems, and digital resources. Receive and respond to questions regarding how and when to submit data for grant programs and	Collaborate with Office of School Quality to review action plans, conduct classroom observations, provide feedback, and direct professional learning. Review division curriculum and instructional plans as needed. Virtual Learning staff work with divisions on credit recovery and student SOL achievement to increase learning and pass rates.
STEM & Innovation (cont.)				

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
			data collections overseen by the office.	
Career, Technical, & Adult Education	Distribute Perkins sub-grants and provide guidance on ensuring compliance with grant requirements.	Provide guidance and resources on instructional best practices, teaching within the framework of relevant SOLs and how to connect CTE to core subjects. Write and review curriculum for CTE courses in career clusters and pathways. Distribute grants and provide guidance on how to ensure compliance with requirements (PluggedInVA, Race to GED).	Provide training sessions for CTE administrators. Partner with teacher professional associations to provide additional professional development opportunities.	Review areas in which divisions want to improve CTE programming, by request.
Research	Provide guidance to schools and divisions participating in federal research projects (typically U.S. ED-directed).	Provide guidance and webinars to schools and divisions completing surveys coordinated through the research office.		Serve as contract administrator and data-sharing point of contact for schools and divisions using sensitive data for research or requesting state-level data for research.
Data Services	Provide guidance, assistance, and specification documents for completing federally required data collections.	Provide guidance, assistance, and specification documents for completing state-required data collections.	Provide webinars and trainings on how to compile and report data for required collections, and how to calculate accreditation, ESSA funds, pass rates, etc.	Receive and respond to questions regarding the submission of data and documents through the Single Sign-On.
Information Security				Build model security program for local school divisions to use and help them develop own security programs with focus on student data privacy.
System Development and Databases			None	

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Technology	Provide guidance on ensuring compliance with, and navigating requirements of, federal E-rate program.	Oversee and provide guidance for the K–12 Learning Infrastructure Program (KLIP) and the KLIP Advisors Group.	Provide E-rate training for school division applicants, and webpage to post technical documents needed for E-rate applications. Provide webinars on a variety of technology topics that inform school division technology leaders.	Provide E-rate list-serve to disseminate information related to E-rate and for divisions to submit questions about the program. Provide an MS Teams site for VA Tech directors. Provide guidance and consultation on E-rate applications, VITA state master contracts, and RFP/contracts related to technology. Provide guidance on how to expand broadband access for schools and students in rural areas and to low-income students. Provide broadband connectivity capability reports to school divisions and the public on the state of broadband.
Procurement			None	
School Nutrition Programs	Provide guidance documents and compliance reviews on ensuring compliance with federal school nutrition programs (lunch, breakfast, summer, daycare). Process claims for reimbursement for federal school and child nutrition programs.	Provide guidance related to state breakfast after the Bell reimbursement grant. Provide assistance with local school wellness policies, farm-to-school initiatives, and procurement.	Provide training for school nutrition program directors, including a director's academy. Provide e-learning modules for regularly required trainings. Provide summer managers workshops.	Receive and respond to questions regarding annual ISP reports and annual program application packets. Verify submissions.
Support Services	Provide guidance related to federal EPA programs on water quality, air quality, and transportation as they relate to schools.	Review plans for construction on public schools and provide guidance documents on planning and building school construction. Develop and maintain Guidelines for School Facilities in Virginia's Public Schools. Manage School	Provide written or video conference training to divisions on new industry issues. Provide re-certification training for bus driver trainers.	Receive and respond to questions regarding school planning, construction, and pupil transportation. Provide operational assessments, efficiency reviews, facility assessment reviews in partnership with



<b>VDOE office</b>	<b>Federal program guidance</b>	<b>State program guidance</b>	<b>Professional development</b>	<b>Other, including technical support</b>
Support Services (cont.)		Security Equipment Grant. Prepare and update school bus specifications; provide curriculum guide for training drivers.		other offices focused on school improvement. Conduct school efficiency reviews upon request.
Budgeting		Provide calculator tools during budget process and for direct aid entitlements. Provide guidance on literary fund, benchmarking, value of real estate, indirect costs.		Receive and respond to questions regarding ASRFIN data submissions, direct aid reimbursements. Provide instructions for several data collections (ASR, RLRLM, K-3). Conduct data checks on fall membership and March 31 ADM.
Finance	Distribute ESEA funds and other federal grant funds, and ensure grant applications are in compliance for federal programs.	Distribute state grant funds and ensure grant applications are in compliance for state programs. Provide guidance documents and user guide for accessing and using OMEGA.		Receive and respond to questions regarding OMEGA (grants application program), and allowable reimbursements.
Teacher Education		Facilitate Teacher of the Year Program. Oversee Mentor Teacher Grant program and Virginia Teaching Scholarship Loan Program. Provide guidance related to endorsement area and teacher preparatory course requirements.		Receive and respond to questions regarding several data collections: New Teachers Program, Supply and Demand of School Personnel, and Critical Shortage Areas. Receive and respond to questions from divisions and public on scholarships and funding for individuals interested in teaching. Process requests to review courses from teachers and divisions to determine if courses from institutions outside of VA meet state requirements. Provide online teacher recruitment tools.
Teacher Education (cont.)				

VDOE office	Federal program guidance	State program guidance	Professional development	Other, including technical support
Professional Practice		Provide guidance to divisions on their responsibility to investigate complaints against license holders. Receive and respond to questions on the requirements under Licensure Regulations for School Personnel and relevant Code language. Provide information and updates on legislation, investigation and reporting obligations, funds for national clearinghouse on license actions.	Present on investigation/reporting obligations, legislation, and the process of license action.	Receive and respond to questions regarding when and how to take action and petition for revocation of a license.
Licensure		Provide guidance to teacher candidates and divisions on state licensure requirements. Receive and respond to calls and questions about licensure requirements and application status.	Provide training to new division HR directors on licensing process.	
Early Childhood	Provide technical assistance and programmatic support for pre-school development B-5 initial and renewal grant, and preschool components of IDEA.	Manage programmatic expectations, communication, technical assistance, guidance, and reporting for Virginia Preschool Initiative.	Provide programmatic webinars and in-person trainings. Coordinate with contractors for professional development and classroom observation feedback (help design content but don't directly deliver). Provide technical assistance to sub-recipients of federal grants.	Provide targeted assistance to early childhood community networks as part of federal grant.

SOURCE: JLARC review of VDOE website, interview notes, and information requests.

## Appendix H: Background on improving low-performing schools

### Providing support to low-performing schools is a core responsibility of state education agencies

As part of the federal Every Student Succeeds Act (ESSA), states are required to identify schools for additional support based on school-wide performance or performance within specific student groups, such as by race/ethnicity or disability status. This is operationalized in Virginia through state law and regulations. Code requires the Board of Education to establish a review process to assist any school that does not meet the Standards of Accreditation and for VDOE (via the superintendent of public instruction) to monitor the implementation of corrective actions taken to improve the educational performance in these school divisions and schools. State regulations establish the broad performance parameters—the state accreditation system—that rate school performance based on several factors (Figure H-1). All schools receive level 1, level 2, or level 3 designations. A school rating of level 3 on any indicator, or level 2 for certain indicators (math, English, or science), triggers the need for VDOE’s involvement in school improvement.

**FIGURE H-1**  
**Schools join the state’s school improvement program when they do not meet certain quality indicators**

SCHOOL PERFORMANCE LEVEL	
<b>Level 1:</b> Meets or exceeds performance requirements	
<b>Level 2:</b> Near standard or making sufficient improvement	
<b>Level 3:</b> Below standard	
QUALITY INDICATORS	
Elementary and middle school	High school
• Overall proficiency and growth in English reading/writing achievement <sup>a</sup>	• Overall proficiency in English reading/writing achievement <sup>a</sup>
• Overall proficiency and growth in mathematics	• Overall proficiency in mathematics
• Overall proficiency in science	• Overall proficiency in science
• English achievement gaps among student groups	• English achievement gaps among student groups
• Mathematics achievement gaps among student groups	• Mathematics achievement gaps among student groups
• Absenteeism	• Absenteeism
	• Graduation and completion
	• Dropout rate
	• College, career and civic readiness

<sup>a</sup> Also includes progress of English learners toward English-language proficiency.  
 SOURCE: Virginia Department of Education and Virginia Standards of Accreditation.  
 NOTE: College, career, and civic readiness will be implemented in 2021–2022.

Regardless of performance, all schools in Virginia are required to develop multi-year continuous school improvement plans (CSIPs) informed by a comprehensive needs assessment. Divisions self-certify that these plans fulfill statutory requirements each year.

### **Academic review process is VDOE’s primary school improvement mechanism for underperforming schools**

School improvement efforts in Virginia are overseen by VDOE’s Office of School Quality (OSQ) (formerly the Office of School Improvement) and operationalized through several formal mechanisms, with the “academic review” being the most common. The need for an academic review can be triggered by school-wide performance *or* performance within student subgroups on specific indicators of quality in the accreditation system.

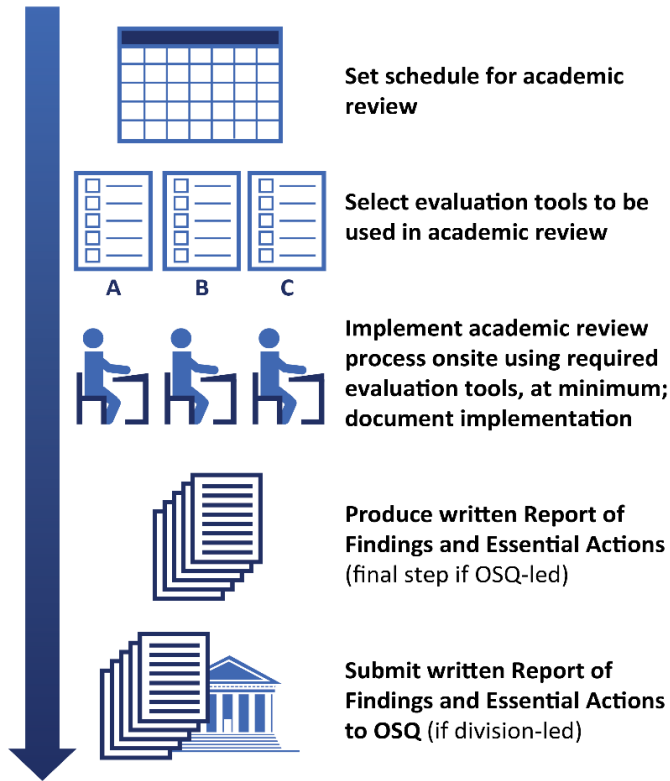
Schools identified for academic review can choose to undergo a division-led academic review, the results of which must be submitted to OSQ, or to receive more direct support from OSQ staff in completing the academic review process. Academic review components are generally the same whether the process is led by VDOE or the school division (Figure H-2). Nearly all (about 95 percent) of schools required to work with VDOE and OSQ for school improvement efforts in the 2019–20 school year opted for a division-led academic review, according to OSQ staff.

Recently, OSQ’s guidance for the academic review process has focused on alignment of classroom instruction with Virginia’s Standards of Learning and related assessments. For example, OSQ or division staff conducting the review were expected to “determine the level of guidance provided by school leadership to teachers regarding the written, taught and tested curriculum.” Reviewers also examined lesson plans and classroom assessments for alignment with the Standards of Learning, both as written and as taught (i.e., through on-site observation). In addition, schools could also be required to analyze their attendance systems and school discipline approach, depending on their performance on the chronic absenteeism indicator. VDOE is currently redesigning its school improvement model.

For the 2019–20 school year, 262 of the 1,825 public schools in Virginia (14 percent) were required to participate in VDOE’s academic review process. Of these schools, 88 (34 percent) were also identified for federal school improvement funding under ESSA.

FIGURE H-2

Academic review follows a similar process whether led by division or OSQ staff



SOURCE: JLARC staff analysis of documents provided by and interviews with staff in VDOE's Office of School Quality.

### VDOE is redesigning its school improvement model

VDOE is redesigning its school improvement model to better align with best practices and allow more tailored support to individual schools. A major component of the draft model is assessment tools and resources that focus on 11 separate elements (Exhibit H-1). Elements include instructional leadership, climate & culture, and social and emotional support. Exhibit H-2 provides an illustrative example of the draft documents and criteria to be used for one of the elements: instructional leadership.

EXHIBIT H-1

Example of elements to be used in the redesigned school improvement model

**School Quality Indicator Crosswalk**

Link to [School Quality Profiles](#)

Level of Performance on School Quality Indicators						
Indicators and Tools	Academic Achievement	Achievement Gaps	Student Engagement and Outcomes			
	Overall <b>ALL students</b> (English, Math, and/or Science)	Achievement <b>GAPS</b> (English & Math)	Chronic Absenteeism	Graduation Completion Index (High School Only)	Drop Out (High School Only)	College, Career, and Civic Readiness (High School Only)
<a href="#">Instructional Leadership</a>	Level Two or Three	Level Three				
<a href="#">Culture and Climate</a>	Level Two or Three	Level Three	Level Two or Three	Level Three	Level Three	Level Three
<a href="#">Data Analysis</a>	Level Two or Three	Level Three				
<a href="#">Professional Development</a>	Level Two or Three	Level Three				
<a href="#">Master Schedule</a>	Level Two or Three	Level Three	Level Three	Level Three	Level Three	Level Three
<a href="#">Classroom Lesson Evaluation</a>	Level Two or Three	Level Three				
<a href="#">Assessment</a>	Level Two or Three	Level Three				
<a href="#">Social and Emotional Support*</a>	Level Two or Three	Level Three	Level Two or Three	Level Three	Level Three	Level Three
<a href="#">Equitable Resources*</a>	Level Two or Three	Level Three	Level Three	Level Three	Level Three	Level Three
<a href="#">Chronic Absenteeism</a>			Level Two or Three	Level Three	Level Three	
<a href="#">GCI/Drop Out/College, Career, and Civic Readiness</a>				Level Three	Level Three	Level Three

SOURCE: Draft materials dated June 2020 shared with JLARC staff by OSQ staff at VDOE.

EXHIBIT H-2

Documents and criteria to be used in the redesigned school improvement model

**Instructional Leadership**

Examples of documents that provide evidence for *Instructional Leadership*:

<ul style="list-style-type: none"> <li>• Summative Evaluation and Teacher Observation Schedules</li> <li>• Handbooks</li> <li>• Faculty Meetings</li> <li>• Data Analysis of Assessments</li> <li>• Staff Survey</li> <li>• Feedback to teachers</li> <li>• Lesson Observations</li> </ul>	<ul style="list-style-type: none"> <li>• Feedback on Lesson Plan Alignment</li> <li>• Feedback on Lesson Observations</li> <li>• Assessment/Intervention Schedule</li> <li>• Virginia Standards of Learning using the Curriculum Framework</li> <li>• Meeting Agendas/Notes</li> <li>• Analysis of School Climate Survey</li> <li>• Communications to Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Teacher Mentoring Program</li> <li>• Professional Learning Community Agendas/Notes</li> <li>• Planning team meetings/notes</li> </ul>
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Category	Criteria	Evidence	Criteria Status	Comments
Instructional Leadership	<input type="checkbox"/> Provides clear expectations to teachers on implementing the Virginia Standards of Learning and Curriculum Framework in developing lesson plans.		<input type="checkbox"/> Proficient <input type="checkbox"/> Developing <input type="checkbox"/> Emerging	
	<input type="checkbox"/> Monitors and provides feedback to teachers to ensure implementation and alignment of the written and taught curriculum to the Virginia Standards of Learning using the Curriculum Framework.		<input type="checkbox"/> Proficient <input type="checkbox"/> Developing <input type="checkbox"/> Emerging	
	<input type="checkbox"/> Monitors the results of assessments to ensure alignment, attainment and success of the Virginia Standards of Learning using the Curriculum Framework.		<input type="checkbox"/> Proficient <input type="checkbox"/> Developing <input type="checkbox"/> Emerging	
	<input type="checkbox"/> Provides opportunities for teachers to engage in self- or peer- observation to promote collaboration and professional growth.		<input type="checkbox"/> Proficient <input type="checkbox"/> Developing <input type="checkbox"/> Emerging	

SOURCE: Draft materials dated June 2020 shared with JLARC staff by OSQ staff at VDOE.

## **Appendix I: Agency response**

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As part of an extensive validation process, the state agencies and other entities that are subject to a JLARC assessment are given the opportunity to comment on an exposure draft of the report. JLARC staff sent an exposure draft of this report to the Virginia Department of Education (VDOE) and secretary of education.

Appropriate corrections resulting from technical and substantive comments are incorporated in this version of the report. This appendix includes a response letter from VDOE.





# COMMONWEALTH of VIRGINIA

James F. Lane, Ed.D.  
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September 29, 2020

The Honorable Hal E. Greer, Director  
JLARC  
919 East Main Street  
Suite 2101  
Richmond, VA 23219

Dear Director Greer:

I have reviewed the forthcoming JLARC report on the *Operations and Performance of the Virginia Department of Education (VDOE)* and thank your team for their diligence in this review. I am proud to serve this agency and the Commonwealth and am thankful that JLARC has found that our work at the VDOE is effective overall. I am also pleased that JLARC found that VDOE provides timely and professional services to school divisions throughout the Commonwealth of Virginia and is fostering close, positive working relationships with divisions. These relationships are critical to successfully accomplishing our shared goals of providing equitable, high-quality education to all students in the Commonwealth, and we appreciate the recognition of the current, intentional nature of this work.

The report provides a variety of findings and recommendations for improving the Agency's core operations and supports and services to divisions. My team and I have begun working to implement solutions to many of the recommendations and remain optimistic that the findings will help foster meaningful action with our General Assembly partners to advance common goals.

The VDOE has already provided technical edits to the exposure draft; and in this letter we seek to provide broader feedback on the findings by way of additional context and emphasis.

Thank you again for the opportunity to work with you and your team throughout this process; we remain committed to improving our agency based on these recommendations.

## **Mission, Leadership and Management of the Agency**

### *Vision, Mission, and Strategic Plan for the Agency*

During 2019 the Agency endeavored to redefine its vision and mission and developed a new strategic plan, entitled DRIVE 2025, which was finalized in January 2020. In sum, the mission of the Virginia Department of Education is to advance equitable and innovative learning, in furtherance of a vision that Virginia will maximize the potential of all learners. As part of this plan, there are four core values that we believe should serve as the compass for how we address leadership decisions and support the culture of the organization. These core values are excellence, inclusion, optimism and service. We have found these values to be essential as our team deals with the unprecedented nature of the COVID-19 pandemic, and we are confident they will serve us well as the agency reacts, responds and innovates to public education needs in the future. We have begun incorporating the appropriate JLARC recommendations in our strategic plan and in our internal tracking mechanisms.

### *Historical context on staffing*

Throughout the report, JLARC cited the lack of staff resources as a significant factor limiting the Department's capacity to undertake various types of work. In particular, this is noted in the findings related to the Office of School Quality, Department of Teacher Education and Licensure, and recommended improvements to the Standards of

Quality (SOQ) compliance processes. We concur that this strains existing staff by requiring heavy workloads and consistently limits our ability to provide more meaningful support and services to the field in these areas. Further, we hope that policymakers will consider these limitations when new mandates are considered.

It is important to understand the historical context of agency staffing in order to fully comprehend the current capacity limitations and why they exist. Much of the report reflects growth in staff capacity over the last decade; however, when a longer view is taken, it is clear that the VDOE still has less staff capacity now than before the Great Recession, and this impacts the level of service and support we can provide to the field.

Finally, it should be noted that the intense workload noted by staff has been exacerbated by the COVID-19 pandemic. While the report does not address the Agency's response to COVID-19, it must be stated that over the last six months the work of the entire agency has been impacted and staff hours have dramatically increased to keep pace.

#### *Diversity, Equity, and Inclusion*

The report notes the need for increased racial diversity on the VDOE senior leadership, and we concur with the finding and its importance as we strive to foster a diverse and inclusive internal environment, and as we serve an increasingly diverse student population in the Commonwealth. While progress has been made internally and VDOE outperforms many of our sister agencies according to the report, the recruitment and retention of diverse staff at the leadership and cabinet levels remains a key priority and ongoing challenge. The VDOE has a strong commitment to staff diversity, fostering an inclusive work environment, and providing professional development on diversity, equity inclusion, and anti-racism. For example, in February 2020, the Department began a year-long professional development series on diversity, equity inclusion and anti racism required of all members of the leadership team (defined as director level staff and above). The leadership of the Agency has recommitted to this work in the context of racial justice and equity conversations taking place nationally this year. We plan to expand this professional development to all staff in the agency in 2021.

#### *Audit*

The findings of the Auditor of Public Accounts has been a pressing priority for VDOE in recent years, given the repetitive and serious nature of the accounting and IT findings, our commitment to stewarding state resources carefully and efficiently, and protecting sensitive personal and financial data. We are pleased that the JLARC report reflects the significant organizational changes and improved processes implemented in recent years, and the improvements in subsequent audits, especially in the finance area. The Agency remains committed to addressing outstanding IT related issues expeditiously, but simply notes that resolution of outstanding items often requires additional action by VITA that has not occurred to date.

#### **Standards of Quality (SOQ) Compliance**

As noted in the report, the Virginia Department of Education administers more than \$6 billion in state funds each year associated with the Standards of Quality (SOQs), and annually requires divisions to report on their compliance with and corrective action plans related to those standards. We monitor divisions who are noncompliant for a period of three years and analyze data for patterns and trends of noncompliance. Additionally, agency staff also work proactively with divisions to ensure that when staffing or other issues arise, they can be resolved before a division becomes noncompliant with the standards. However, staff resources would enable the Agency to go beyond current requirements and conduct independent verification of the data provided by divisions.

Finally, it is important to note that while compliance with the Standards of Quality is incredibly important, compliance of this nature is limited to monitoring state required inputs in the public education experience and the mechanisms available to the Department and Board of Education for remedying noncompliance are very limited and quite severe (withholding funds). Within its limited capacity, the Department has worked to instead provide support and technical assistance when divisions become noncompliant. Finally, the Department also is deeply engaged in tracking and supporting divisions by holding divisions accountable for student outcomes. This work is done in partnership with the Board of Education via the recently revised Standards of Accreditation (SOA) and resulting support and assistance is deployed via the Office of School Quality.

**Office of School Quality (OSQ)**

The JLARC report appropriately hones in on the challenges faced in the Office of School Quality (OSQ) and the obstacles it has historically faced while being hamstrung by limited resources. The report's comparison in staffing resources with neighboring states clearly illustrates the severity of the limitations the VDOE Office of School Quality has operated within. We applaud the JLARC recommendation that additional state resources be devoted to this area within the Department in order to effectuate meaningful change.

In recent years some school divisions have exited the "school improvement process" with the current technical assistance provided with the agency's limited resources. However, the compliance focus of the work has not produced meaningful school improvement results. Ultimately, it is our goal to move towards a coaching model versus a compliance model and a significant increase in staffing will be necessary to meet this goal.

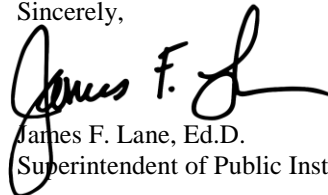
In the interim, I am pleased to report that the Office of School Quality is operating under the leadership of a new Director as of this summer, who will work to advance the agency's new approach to school quality which is driven by best practices nationwide and by specific feedback from Virginia division's based on their experiences. As communicated to divisions in May 2020, OSQ is transitioning to serve as a resource for all schools and school divisions in incorporating effective continuous improvement processes to support high-quality educational environments. This transition includes assignment of OSQ staff based on a regional model to capitalize on existing networking structures embedded in the Superintendent's Regions. The OSQ staff member assigned to a region will be the liaison for schools and divisions for federal and state accountability standards, as well as high-quality continuous improvement processes. Whereas this new model is promising, the best school improvement/school quality programs have school level coaches, superintendent/principal coaches, literacy experts, equity trainers, and many other staff in these regional models to meet the needs of school divisions and schools. This requires more of the Agency to be engaged in school quality, not just a few staff in one particular office.

**Department of Teacher Education and Licensure and the Recruitment and Retention of Teachers in Virginia**

The nation is struggling with a growing and severe shortage of teachers, and the Commonwealth is no exception. In recent years, the Commonwealth's teacher shortage has received attention from division leaders, executive branch policy makers, institutions of higher education and the legislative branch. The VDOE has historically played a supporting role to divisions who are primarily responsible for recruitment and retention efforts. Virginia's collaborative efforts in recent years have resulted in concrete accomplishments, such as a new undergraduate teaching degree option, more flexible pathways to licensure, and a strong emphasis on the recruitment and retention of teachers of color. However, as noted by the report, investments in increased staff capacity and reporting authority at the Agency would bring new resources to bear on this very important and persistent challenge. Keep in mind, whereas we may have existing authority in this area to improve the reports recommended by JLARC, the VDOE can only collect data that is mandated by the regulations and codes of Virginia or federal law, thus we are often more conservative in our approach to data collection for this reason. Easing of this barrier to flexibility in data collection could prove advantageous to meeting our shared goals in the long-run on a number of policy areas.

Again, thank you for the opportunity to provide our perspective on the JLARC findings and recommendations as it relates to the operations of the Virginia Department of Education. We are committed to continuous improvement as an agency, will move forward immediately on the recommendations solely under our purview, and look forward to continuing to work together to advance equitable and innovative learning for all of Virginia's students.

Sincerely,



James F. Lane, Ed.D.  
Superintendent of Public Instruction





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