



COMMONWEALTH of VIRGINIA

Office of the Governor

Aimee Rogstad Guidera
Secretary of Education

January 4, 2024

MEMORANDUM

TO: The Honorable Glenn Youngkin, Governor of Virginia
The Honorable Barry D. Knight, Chair, House Appropriations Committee
The Honorable Janet D. Howell, Co-Chair, Senate Finance and Appropriations Committee
The Honorable George L. Barker, Co-Chair, Senate Finance and Appropriations Committee

FROM: Aimee Rogstad Guidera

SUBJECT: Interim report on the evaluation and recommendations for Richard Bland College

Pursuant to Item 156, Chapter 1, 2023 Virginia Acts of Assembly Special Session I, please find enclosed an interim report on Richard Bland College. As described in greater detail in this report, the ongoing evaluation has revealed the need to confer with additional stakeholders and engage in further inquiry to inform forthcoming recommendations.

Actions resulting from the final report, including the potential emergence of a new institutional governance model, should be supported by a thoughtful process that includes collaborating with stakeholders beyond the seven required by the enabling authority and considering additional relevant qualitative and quantitative information, some of which was only recently finalized and/or made available. The ongoing evaluation has revealed the time between the September 14, 2023, budget approval and the December 1, 2023, deadline was insufficient to complete this comprehensive evaluation and formulate evidence-based recommendations that could serve as a basis for major change to Richard Bland College and the Commonwealth's higher education ecosystem.

We appreciate your understanding as we complete the remaining phases of this impactful work by February 13, 2024. I welcome your questions on this interim report or any of the work related to the directive.

INTERIM REPORT

Enabling Authority: Appropriation Act - Item 156 H.1-3. (Special Session I, 2023)

Report on the evaluation and recommendations for the creation of a regional partnership and other strategies to improve education attainment, alternative delivery methods, enhanced efficiencies, and economic and community development for the region and the state, including an evaluation of a new governance model, building upon the November 2022 report issued by Richard Bland College.

Executive Summary

The Virginia Secretary of Education (Secretary) was directed to evaluate a new governance model for Richard Bland College (Richard Bland), a public two-year institution of higher education in the Commonwealth of Virginia, as part of the effort to review the creation of a regional partnership or other strategies to improve education attainment, alternative delivery methods, enhanced efficiencies and economic and community development for the region and state. The work conducted to date, including interviews with the seven required stakeholders and several others, has revealed differing opinions about the most effective governance model for Richard Bland and has underscored the importance of conferring with additional stakeholders and exploring in greater detail the implications and feasibility of various alternatives. To that end, the Secretary will conduct additional analysis and report her recommendations to the General Assembly no later than February 13, 2024.

Background

Richard Bland was established by the Virginia General Assembly in 1960 as a division of The College of William & Mary in Virginia (William & Mary) and was initially named the Petersburg Division.¹ In 1971, a federal three-judge panel that presided over *Norris v. SCHEV* enjoined the William & Mary Board of Visitors and the president of Richard Bland from escalating Richard Bland to be a four-year institution, unlike the three other two-year colleges that had recently been escalated (George Mason, Christopher Newport, and Clinch Valley, now UVA-Wise).² The impact of this decision has led Richard Bland to exist anomalously as the only public two-year college in the Commonwealth that is not part of the Virginia Community College System (VCCS).

¹ Acts and Joint Resolutions of the General Assembly of the Commonwealth of Virginia. 1959 ex. 1960 reg. 23-49.1(a) (“The Norfolk Division of the College of William and Mary in Virginia, the Richmond Professional Institute, and the Divisions of Newport News and Petersburg, respectively,”...“are hereby established as divisions of the College of William and Mary in Virginia, and are integral parts thereof.”)

² *Norris v. State Council of Higher Education*, 327 F. Supp. 1368 (E.D. Va. 1971)

Today, Richard Bland is a two-year institution governed by the William & Mary Board of Visitors.³ A standing committee of William & Mary’s Board of Visitors is devoted to Richard Bland.⁴

Richard Bland has advocated for its own governing board independent of William & Mary for over a decade. Until earlier this year, those efforts have been slow-going.⁵

On January 11, 2023, Senator Frank Ruff introduced SB1077 that proposed to remove authority of the Board of Visitors of The College of William & Mary in Virginia to supervise, manage, and control Richard Bland College and to establish a 12-member board of visitors of Richard Bland College to generally direct the affairs of the college, with companion bill HB1415 introduced in the House of Delegates by Delegate Emily Brewer. Although the Senate passed SB1077 on February 6, 2023, HB1415 did not advance from the House Committee on Appropriations when the General Assembly adjourned from its 2023 legislative session.

Related, on January 18, 2023, the State Board for Community Colleges voted a resolution requesting “the Chancellor and her staff to engage with the Administration and with legislators to pursue amendments to HB1415 and SB1077 that would seek to replace the creation of a new board with a study of governance options for Richard Bland College to include the viability and benefits of the State Board for Community Colleges serving as the governing body for Richard Bland College.”⁶ In November 2023, the William & Mary Board of Visitors expressed “its support for Richard Bland College being transitioned to an independent governance structure.”⁷ These two recent actions illustrate differing perspectives amongst the Commonwealth’s public institutions on what new governance model should emerge for Richard Bland.

Pursuant to budget language added during the 2023 Special Session I and approved on September 14, 2023, the Secretary was directed to, “in collaboration with the Director of the State Council of Higher Education for Virginia, the Secretary of Finance, the Director of the Department of Planning and Budget, the Staff Directors of the House Appropriations and Senate Finance and Appropriations Committees, the President of the Virginia Economic Development Authority and Richard Bland College, evaluate the creation of a regional partnership and other strategies to improve education attainment, alternative delivery methods, enhanced efficiencies, and economic and community development for the region and state. *Additional input may be*

³ Virginia Code Title 23.1. Institutions of Higher Education; Other Educational and Cultural Institutions; 23.1-2806-A. Richard Bland College. (“Richard Bland College is a separate college under the supervision, management and control of the board [of visitors of William & Mary]. Richard Bland College shall report to the board in such manner as the board may coordinate and direct.”) and [Bylaws by the Board of Visitors of William & Mary](#), Article 1A (“The Board is also established by the Code of Virginia to govern Richard Bland College...”).

⁴ [Bylaws by the Board of Visitors of William & Mary](#), Article 5B,1(g).

⁵ Josh Moody, [A 2-Year College Seeks to Break Free](#), Inside Higher Ed, February 13, 2023.

⁶ State Board for Community Colleges Meeting Minutes, January 18, 2023, pg 9, Item K.1.

⁷ Support for Richard Bland College Transitioning to an Independent Governance Structure, Resolution HC-2. Board of Visitors of William & Mary, November 17-18, 2023.

*provided by regional partners and other entities including Virginia State University, Virginia Commonwealth University, and Brightpoint Community College. The review shall include an evaluation of the new governance model building upon the November 2022 report issued by Richard Bland College”(emphasis added).*⁸

The General Assembly’s directive of the Secretary suggests legislators want additional information to make an informed decision on Richard Bland’s governance model, which promises to carry significant implications for the Commonwealth’s higher education ecosystem, the region, and the state. The Secretary takes this responsibility seriously and has approached this task understanding its complexity and potential impact.

Progress Report

The enabling clause called for the Secretary to collaborate with seven mandated stakeholders and gave her the option to obtain input from regional partners and other entities as part of her review. As of December 1, 2023, all mandated stakeholders or their delegates and five discretionary stakeholders have completed a preliminary interview, with various perspectives emerging. The president of Richard Bland remains strongly convinced that an independent governance structure is in the best interest of the institution and the Commonwealth;⁹ several legislators,¹⁰ as well as local leaders,¹¹ have also expressed support for that position. Other stakeholders, however, are keen on interrogating other models, including various partnerships or arrangements with other institutions or entities in the Commonwealth. Several interviewees offered evidence to support their position, including examples of Richard Bland’s past performance.

Further, several interviewees, including the president of Richard Bland, recommended additional conversations with community leaders who can offer insights about the most effective go-forward governance model for Richard Bland. In addition, the Secretary’s due diligence has uncovered critical open questions about Richard Bland’s enrollment, financial circumstances, internal controls, outcomes, and program initiatives that require more clarification and discussion to fully inform decision-making – primarily as the Commonwealth works to bring greater effectiveness and efficiency to higher education and to help better align the public higher education sector with the workforce needs of the future and with regional economic and community development.

⁸ Budget Bill HB6001, Section H.1, 2023 Special Session I.

⁹ Lilah Burke, [Why Richard Bland wants to break up with William and Mary](#), Higher Ed Dive, May 16, 2023.

¹⁰ Letter to Secretary of Education Guidera from Delegates Kim Taylor, Emily Brewer, Mike Cherry, Carrie Coyner, and Otto Wachsmann (November 9, 2023).

¹¹ Letters to Secretary of Education Guidera from County Administrator Jeffrey Stoke of Prince George County (November 2, 2023), City Manager Douglas Smith of Colonial Heights (November 21, 2023), and City Manager John Altman of Petersburg (November 30, 2023); Resolution of support from the Richard Bland College Foundation (November 28, 2023).

Beyond the 12 completed interviews, additional work has been undertaken to further the ongoing evaluation. This includes, but is not limited to, a site visit to the Richard Bland campus; analysis of relevant historical information, statutes, and case law; information requests of and production from the institution; and review of documents such as the institution's most recent six-year plan and data "fact pack," state reports, third-party letters, and news articles.

Based on the work completed to date, the Secretary believes it to be prudent and advisable to extend the evaluation period as noted below, given 1) differing stakeholder perspectives; 2) additional stakeholders to interview beyond the 12 noted; 3) institutional information recently received; and 4) important tactical implications of any governance change to be well-considered. This is an important topic for both the institution and the Commonwealth that should not be rushed.

Next Steps

The Secretary will submit her recommendations on the future governance model for Richard Bland to the General Assembly by February 13, 2024. Any recommendation will be informed by considering the creation of one or more regional partnerships and strategies to improve education attainment, alternative delivery methods, and economic and community development in the region and the state. The remaining work to be completed includes:

- Interviews of the remaining identified stakeholders and additional individuals who can lend valuable insight into the evaluation.
- Additional analysis of Richard Bland's data and historical track record, including further insights from the institution and others about its programmatic achievements and challenges.
- Input from Commonwealth and national higher education leaders, focusing on other models and/or governance practices that would inform the recommendations.
- Engagement with additional leaders across the Commonwealth to assess the institution's most effective go-forward governance model and the tactical implications of a change.

To complete the evaluation and report by February 13, 2024, the Secretary proposes adding two additional phases of work, going beyond the initial stakeholder engagement and analysis already completed through November 30, 2023.

➤ **Completed - Phase I (through November 30, 2023):**

- Developed a preliminary set of governance options to consider and a high-level framework for evaluation.
- Interviewed seven mandated and five discretionary stakeholders, including two listed in the enabling authority.

- Reviewed Richard Bland qualitative and quantitative data, including the institution's most recent six-year strategic plan supporting fact pack, the November 2022 report, “*A Model for Higher Education Innovation*,” as well as other relevant information.
- Initiated a request for additional data and/or clarifications from the institution, including on enrollment, tuition and student debt, future goals and target outcomes, transfer and retention rates, and compliance issues.
- Conducted initial research to identify relevant governance models around the nation.

➤ **In Progress - Phase II (December 1, 2023 through January 31, 2024):**

- Undertake remaining interviews with discretionary stakeholders and select leaders identified by the president of Richard Bland and others that will inform the evaluation.
- Incorporate the latest data, analysis, and clarifications from Richard Bland (e.g., the final submission of the six-year narrative plan submitted on December 1, 2023).
- Further refine the framework to assess governance models and finalize the options to be evaluated/considered, including but not limited to those cited in HB6001, which indicated that Richard Bland may “[c]ontinue to explore new and expanded partnership opportunities with the College of William and Mary as well as *identify potential new higher education partners* to pursue shared services and other options for cost reduction and increased efficiencies...[or] [*i*]dentify higher education partners to strategically merge and align academic programming to advance the credential and completion of goals outlined in the Virginia Plan for Higher Education” (*emphasis added*).
- Continue to conduct research to build out relevant case studies and insights from other institutions in and outside the Commonwealth to inform the evaluation of Richard Bland's future state options.
- Leverage insights from interviews and case studies, assess options, and consider Richard Bland’s (and other relevant institutions’) brand and value proposition, student enrollment, program synergies, operating efficiencies, financial sustainability, organizational culture/fit, and community and economic development.
- Identify a preliminary recommendation for the future governance of Richard Bland, with the financial and operational implications outlined.

➤ **Future Steps - Phase III (February 1, 2024 through February 13, 2024):**

- Synthesize findings into a draft written report.
- Test key findings and preliminary recommendations with internal stakeholders; iterate final written report as required upon feedback.
- Publish the final report no later than February 13, 2024.

The Secretary appreciates your patience as she works to complete the required diligence on this important directive.