| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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# Agenda Item: K

## Date: March 19, 2020

### Title: First Review of Division-level Memorandum of Understanding for Danville City Public Schools

#### Presenter: Dr. Linda Reviea, Acting Director, Office of School Quality,

#### Division of School Quality, Instruction, and Performance

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## Purpose of Presentation:

Action required by Board of Education regulation.

Executive Summary:

During the 2018-2019 school year, Danville City Public Schools and the Office of School Quality had a School Improvement Technical Assistance Plan in place to support the improvement efforts of all schools in the division. Actions of the plan included technical assistance in the areas of continuous school improvement planning, professional development for principals through the Principal Leaders in Action program, and professional development for teacher leaders through the Teacher Leaders in Action program. The professional development for principals and teachers included support related to alignment of lesson plans, lesson delivery and monitoring implementation of the written and taught curriculum. Additionally, the Office of School Quality provided the services of a contractor for all schools to support their improvement efforts. In February 2019, the Office of School Quality led academic reviews for all schools regarding lesson plan alignment. School-level reviews were followed by a division-level academic review in March 2019 regarding leadership and professional development. Schools identified under the Every Student Succeeds Act of 2015 as Comprehensive Support and Improvement (CSI) or Additional Targeted Support and Improvement (ATSI) received on-site support in the development of the school improvement grant application as it related to each school’s comprehensive needs assessment and continuous school improvement plan.

The following chart contains an overview of school accreditation data for Danville City Public Schools for the current school year, as well as the previous five years.

| **School Year** | **Number of Schools Accredited with Conditions** | | | | **Number of Schools Denied Accreditation** | **Total Number of Schools** | | **Percent Not Accredited** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2019-2020 | 9 | | | | 0 | 11 | | 81.8% |
| 2018-2019 | 6 | | | | 0 | 11 | | 54.5% |
| **Previous Accreditation Categories** | | | | | | | | |
| **School Year** | **Number of Schools Not Fully Accredited First Year** | **Number of Schools Not Fully Accredited Second Year** | **Number of Schools Not Fully Accredited Third Year** | **Number of Partially Accredited Reconstituted Schools** | **Number of Schools Denied Accreditation** | **Total Number Not Fully Accredited** | **Total Number of Schools** | **Percent Not Fully Accredited** |
| 2017-2018 | 0 | 0 | 1 | 0 | 7 | 8 | 11 | 72.7% |
| 2016-2017 | 0 | 1 | 4 | 0 | 3 | 8 | 11 | 72.7% |
| 2015-2016 | 1 | 4 | 2 | 0 | 1 | 8 | 11 | 72.7% |
| 2014-2015 | 4 | 2 | 1 | 0 | 0 | 7 | 11 | 63.6% |

In August 2019, the superintendent of Danville City Public Schools submitted a request to the Virginia Department of Education (VDOE) to conduct a division-level review to gain a deeper objective analysis of the division’s strengths and opportunities for improvement. The division-level review focused on the following categories: Academics and Student Success, Leadership and Governance, Operations and Support Services, and Human Resource Leadership. On September 19, 2019, the Virginia Board of Education approved the division superintendent’s request for a division-level review.

A review team including representatives from various offices within the VDOE conducted a desk audit and an onsite review of systems and processes influencing student achievement. During the onsite review from December 10-11, 2019, the review team collaborated with the Danville City Public Schools’ central office staff to analyze artifacts for each area of review to determine the level of implementation (*Full*, *Functional*, *Limited*, or *No Implementation*) of various components using a scoring rubric. In addition, interviews were conducted on December 19, 2019, with the school board chairperson and vice-chairperson to gain perspective regarding school board governance. These data sources were used to identify division-level areas of strength and improvement. All of the information was gathered and analyzed by the OSQ staff to identify patterns and trends to clearly define areas for improvement. Once this information was compiled, the director and associate director of the Office of School Quality met with the division superintendent to discuss the findings.

Following the division-level review, the Memorandum of Understanding (MOU) for the Danville City Public Schools, **Attachment A1**, was developed. The Danville City Schools superintendent and his staff will work with the OSQ to develop a corrective action plan (CAP). All final essential actions included in the CAP will reflect high-quality instruction and ongoing, two-way communication with all stakeholders related to the following areas:

* Curriculum alignment
* Common assessments
* Data analytics and benchmarks
* Tiered systems of support
* Professional learning communities
* Use of resources and technology
* Quality staff

The division-level MOU for the Danville City Public Schools supports the Board of Education’s 2018-2023 Comprehensive Plan Priority 3: Ensure successful implementation of the *Profile of a Virginia Graduate* and the accountability system for school quality as embodied in the revisions to the *Regulations Establishing* *Standards for Accrediting Public Schools in Virginia* (8VAC20-131).

## Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:

April 23, 2020

## Superintendent’s Recommendation: The Superintendent of Public Instruction recommends the Board of Education receive for first review the division-level MOU for the Danville City Public Schools.

## Previous Review or Action:

Previous review and action. Specify date and action taken below:

Date: September 19, 2019

Action: First Review of Request for Division-Level Review for Danville City Public Schools -The Board waived first review and took action September 19, 2019.

Background Information and Statutory Authority:   
The Standards of Quality (SOQ) require local school boards to maintain fully accredited schools and shall implement processes for corrective actions and improvement planning.

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| --- |
| **§ 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state regulations.**  … Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board of Education. Each local school board shall report the accreditation status of all schools in the local school division annually in public session.  The Board shall establish a review process to assist any school that does not meet the standards established by the Board. The relevant school board shall report the results of such review and any annual progress reports in public session and shall implement any actions identified through such review and utilize them for improvement planning.  … When the Board determines through its review process that the failure of schools within a division to meet the standards established by the Board is related to division-level failure to implement the Standards of Quality or other division-level action or inaction, the Board may require a division-level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall enter into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](https://law.lis.virginia.gov/vacode/22.1-253.13:6/). |

Timetable for Further Review/Action:  
Final review of the division-level MOU is expected at the April 23, 2020 Board meeting. In conjunction with OSQ staff and other relevant VDOE offices, Danville City Public Schools staff will work with stakeholders to develop a final CAP.

## Impact on Fiscal and Human Resources:

Technical assistance to support Danville City Public Schools will be funded using existing state funds.

**Attachment A1**

**Virginia Board of Education**

**Danville City School Board**

**Memorandum of Understanding**

**Statutory Authority**

The Standards of Quality (SOQ) require local school boards to maintain *Accredited* schools and to take corrective actions for schools that are not *Accredited*.

Further, the SOQ provides the Board of Education with the authority to seek school division compliance with the SOQ.

§ 22.1.253.13:8   Compliance with SOQ

….When the Board of Education determines that a school division has failed or refused, and continues to fail or refuse, to comply with any such Standard, the Board may petition the circuit court having jurisdiction in the school division to mandate or otherwise enforce compliance with such standard, including the development or implementation of any required corrective action plan that a local school board has failed or refused to develop or implement in a timely manner.

§ [22.1-253.13:3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-253.13C3)**.** Standard 3. Accreditation, other standards, assessments, and releases from state regulations.

When the Board determines through its review process that the failure of schools within a division to meet the standards established by the Board is related to division-level failure to implement the Standards of Quality or other division-level action or inaction, the Board may require a division-level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall enter into a memorandum of understanding with the Board and shall subsequently submit to the Board for approval a corrective action plan, consistent with criteria established by the Board setting forth specific actions and a schedule designed to ensure that schools within its school division meet the standards established by the Board. If the Board determines that the proposed corrective action plan is not sufficient to enable all schools within the division to meet the standards established by the Board, the Board may return the plan to the local school board with directions to submit an amended plan pursuant to Board guidance. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](https://law.lis.virginia.gov/vacode/22.1-253.13:6/).

**Period of Enactment of the Memorandum of Understanding (MOU)**

The Memorandum of Understanding (MOU) between the Danville City School Board and the Virginia Board of Education will be in place until all schools are *Accredited* without conditionsfor 2 consecutive years. The MOU will be subject to annual review and revisions by the Virginia Board of Education.

For purposes of this MOU, the Danville City School Board, the central office staff, and stakeholders will develop a corrective action plan (CAP) in conjunction with the Office of School Quality and other relevant VDOE offices and implement essential actions to comply with the Standards of Quality and improve student achievement with a focus on the following categories:

* Academics and Student Success
* Leadership and Governance
* Operations and Support Services
* Human Resource Leadership

**Responsibilities of the Virginia Board of Education and Department of Education (VDOE):**

The Director of the Office of School Quality will serve as the Superintendent of Public Instruction’s designee to facilitate on-site support and monitoring of the implementation of the MOU and the CAP.

1. The Director of the Office of School Quality (OSQ) will coordinate with the OSQ staff, division staff, and other VDOE offices to provide technical assistance in support of the MOU and CAP. An OSQ-selected representative may also serve be assigned to attend and participate in all leadership team meetings and leadership activities to ensure the alignment of division programs and processes to the MOU, the CAP and the DCPS Strategic Plan.
2. The State Superintendent of Public Instruction and the State Board President will meet with the Local Board Chair at least twice per year to facilitate communication and regular updates. All meetings shall be conducted according to applicable Open Meeting Laws.
3. OSQ staff will meet every two months with the Division Superintendent and appropriate staff to review progress in implementing the CAP and to review quarterly data, which may include the following data points: student attendance, teacher attendance, student discipline reports, student transfer data, student intervention participation and progress by intervention type, number and quality of teacher observations and walkthroughs conducted per month, and local assessment data in English, math, history, and science. OSQ staff may request additional data. Feedback on the steps taken by Danville City Public Schools (DCPS) to implement the essential actions in the CAP will be communicated by OSQ staff via a written bi-monthly report provided to the Division Superintendent (who will share it with the Danville City School Board). Specific next steps will be developed as needed.
4. Office of School Quality staff will provide administrative oversight over processes, procedures, and strategies that are implemented in support of the MOU and funded by federal and state funds.

4a. The OSQ staff will review DCPS planned uses of selected local funds and will provide feedback to the Superintendent of DCPS on a quarterly basis. Any concerns resulting from this review and subsequent feedback will be reported to the Director of OSQ.

4b. The OSQ staff, in consultation with the Director of the Office of School Quality and other VDOE offices, will review and approve planned uses and actual expenditures of selected state and federal funds. Approval from the OSQ staff is required before purchase orders or contracts involving selected state and federal funding can be executed and requests for reimbursements can be made.

4c. The OSQ staff will monitor the efficacy of the DCPS regarding compliance with all local and state procurement policies in the acquisition of resources.

1. The OSQ staff will work closely with school and division personnel to implement instruction aligned to the Standards of Learning. The OSQ staff will review all recommendations regarding new or modified instructional programs. Recommendations must be submitted to the OSQ staff no fewer than 10 business days prior to purchase or submission to the local board for approval. Approval from the OSQ staff is required before purchase orders or contracts can be executed. Any proposed new or modified instructional program must be aligned with a comprehensive review of existing school and/or division resources.
2. The OSQ staff will review and approve all recommendations regarding hiring administrative (licensed) personnel prior to their submission to the local board for approval. Recommendations regarding hiring administrative personnel must be submitted to the OSQ staff no fewer than 10 business days prior to the local board meeting. Criteria for approval will include at a minimum the confirmation of appropriate licensure (or eligibility for licensure) and endorsements for the intended position(s). No contract may be offered for a licensed position without the approval of the OSQ staff. Periodically, the OSQ staff will monitor and review licenses of all instructional staff. Additionally, the OSQ staff will work with DCPS in the effective use of position control to ensure appropriate placement of licensed staff.
3. Modifications to the MOU may be made by the Virginia Board of Education as a result of evidence of progress, evidence of lack of progress, or the identification of additional needs. The Danville City School Board may make suggestions for changes in the MOU for consideration of approval by the Virginia Board of Education.

**Responsibilities of the Danville City School Board and Danville City Public Schools:**

1. Should a vacancy occur in the position of Division Superintendent while the MOU is in effect, the Danville City School Board will provide the Superintendent of Public Instruction and the President of the Virginia Board of Education the names and credentials of its top three finalists to fill a vacancy of Division Superintendent or Interim Superintendent at least 5 business days prior to making an offer to the preferred candidate. The credentials of applicants must include evidence of requisite experience to lead successful school and division turnaround efforts.
2. The Danville City School Board will direct the Division Superintendent and appropriate staff to meet every two months with the Office of School Quality to review (1) artifacts that serve as evidence of the implementation of the required actions detailed in the CAP; and (2) quarterly data that serve as evidence of progress made towards the attainment of the goals of the CAP. Data points to be reviewed may include the following: student attendance, teacher attendance, student discipline reports, student transfer data, student intervention participation and progress by intervention type, number and quality of teacher observations and walkthroughs conducted per month, and local assessment data in English, mathematics, history, and science. OSQ staff may request additional data. Feedback on the steps taken by DCPS to implement the essential actions in the CAP will be communicated by OSQ staff via a written bi-monthly report provided to the Division Superintendent (who will share it with the Danville City School Board). Specific next steps will be developed as needed.
3. The Danville City School Board will direct the Division Superintendent to provide the OSQ staff documentation on planned uses of local funds. The OSQ staff, in consultation with the Director of the Office of School Quality, will review and approve planned uses and actual expenditures of state and federal funds. Approval from the OSQ staff is required before purchase orders or contracts involving state and federal funding can be executed and requests for reimbursements can be made.
4. The Danville City School Board will direct the Division Superintendent to consult with the OSQ staff on all recommendations regarding new or modified instructional programs no fewer than 10 business days prior to purchase or submission to the local board for approval. Approval from the OSQ staff is required before purchase orders or contracts can be executed.
5. The Danville City School Board will direct the Division Superintendent to consult with the OSQ staff assigned to the division on all recommendations regarding hiring administrative (licensed) personnel at both the building- and division-level prior to being submitted to the local board for approval. Recommendations regarding hiring these personnel must be submitted to the OSQ staff no fewer than 10 business days prior to the local board meeting.

Criteria for approval will include at a minimum the confirmation of appropriate licensure (or eligibility for licensure) and endorsements for the intended position(s) and evidence of prior successful performance in increasing student achievement. Periodically, the OSQ staff will monitor and review licenses of all instructional staff. (Note: Applicants new to the teaching field will provide evidence of high academic performance in their area of endorsement on their college transcripts.)

1. The Danville City School Board will direct the Division Superintendent to provide the local board monthly updates on the steps taken to complete the essential actions in the CAP. The agenda and supporting materials will be submitted to the OSQ on the next business day following the local board monthly update.
2. The Division Superintendent will direct appropriate division staff to participate in OSQ-required technical assistance and other professional development identified by the Office of School Quality, when invited, to support the implementation of strategies for improving student achievement in low-performing schools. The Division Superintendent will ensure that appropriate division staff implement with fidelity actions/next steps resulting from all technical assistance provided as a result of the MOU.
3. The Danville City School Board and the Division Superintendent will appear before the Virginia Board of Education, as requested, to provide reports and answer questions about the implementation of the MOU and the corrective action plan.
4. All members of the Danville City School Board and the Division Superintendent will participate at a minimum annually in board and superintendent professional development provided by the Virginia School Boards Association (VSBA) or another leadership entity approved by the OSQ that focuses on their respective roles and responsibilities for school improvement (or for improving student achievement in challenged schools). The plans for this professional development and the agenda will receive prior approval from the Director of the Office of School Quality. Meeting minutes that include the identification of next steps for implementation of the professional development will be provided to the Director of the Office of School Quality, and will be reviewed at the bi-monthly meetings between the Division Superintendent and the Director of OSQ.
5. The Danville City School Board will permit an OSQ-selected representative to meet with the local board as an ex-officio, non-voting, participant should the division fail to have all of its schools *Accredited* by the beginning of the 2021-2022 school year. The OSQ-selected representative will be expected to attend both public and closed session meetings, as necessary, unless his/her presence in a closed session would result in a conflict of interest.

**Additional Consequences for Non-Compliance**

Legislation by the 2019 General Assembly provides the Board with the following authority:

If the Board of Education has required a local school board to submit a corrective action plan pursuant to § 22.1-253.13:3, Code of Virginia, either for the school division pursuant to a division level review, or for any schools within its division that have been designated as not meeting the standards as approved by the Board of Education, the Superintendent of Public Instruction shall determine and report to the Board of Education whether each such local school board has met its obligation to develop and submit such corrective action plan(s) and is making adequate and timely progress in implementing the plan(s). Additionally, if an academic or other review process undertaken pursuant to § 22.1-253.13:3, Code of Virginia, has identified actions for a local school board to implement, the Superintendent of Public Instruction shall determine and report to the Board of Education whether the local school board has implemented required actions. If the Superintendent certifies that a local school board has failed or refused to meet any of those obligations as referenced in a memorandum of understanding between the local school board and the Board of Education, the Board of Education shall withhold payment of some or all At-Risk Add-On funds otherwise allocated to the affected division pursuant to this allocation for the pending fiscal year. In determining the amount of At-Risk Add-On funds to be withheld, the Board of Education shall take into consideration the extent to which such funds have already been expended or contractually obligated. The local school board shall be given an opportunity to correct its failure and, if successful in a timely manner, may have some or all of its At-Risk Add-On funds restored at the Board of Education's discretion.

**Authorizations**

I (We) have reviewed and understand the work required to implement the requirements of the Memorandum of Understanding (MOU) for the purpose of improving student achievement in Danville City Public Schools.

| Printed Name:  Title: Chairperson, Danville City School Board  Signature:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Printed Name:  Title: Superintendent, Danville City Public Schools  Signature:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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| Printed Name:  Title: President, Virginia Board of Education  Signature:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | Printed Name:  Title: Superintendent of Public Instruction  Signature:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |