



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

March 3, 2021

The Honorable James F. Lane  
Superintendent of Public Instruction  
Virginia Department of Education  
P. O. Box 2120  
Richmond, VA 23218

Dear Superintendent Lane:

I am writing in response to Virginia's request to the U.S. Department of Education (Department) on October 21, 2020 to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act. Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the Department for review and approval.

I have determined that the amended request meets the requirements in the ESEA and, for this reason, I am approving Virginia's amended State plan. A summary of the Virginia's amendment is enclosed. Any further requests to amend Virginia's ESEA consolidated State plan must be submitted to the Department for review and approval. This letter, as well as Virginia's revised ESEA consolidated State plan, will be posted on the Department's website. We recommend that when the Virginia Department of Education (VDOE) submits a clean version of its amendment, VDOE include a link to the current version of the Migrant Education Program (MEP) Service Delivery Plan on its webpage to help facilitate access to the information referenced in the Title I, Part C section of its Consolidated State Plan.

Please be aware that approval of this amendment to Virginia's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is Virginia's responsibility to comply with these civil rights requirements.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202  
<http://www.ed.gov/>

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

Thank you for all of the work that VDOE has put into its consolidated State plan under the ESEA. If you need any assistance regarding the implementation of your ESEA consolidated State plan, please contact Collette Roney in the Office of School Support and Accountability at: [OESE.Title-a@ed.gov](mailto:OESE.Title-a@ed.gov).

Sincerely,



Ian Rosenblum  
Delegated the Authority to Perform  
the Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

Enclosure

cc: Julie Molique, VDOE Director of Accountability  
Lynn Sodat, VDOE Director of ESEA Programs

### **Amendment to the Virginia Consolidated State Plan**

The following is a summary of Virginia’s amendment request. Please refer to the U.S. Department of Education’s website <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/> for Virginia’s complete consolidated State plan.

### **Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies (LEAs)**

#### *Academic Achievement Indicator*

VDOE corrected its descriptions of its calculations of proficiency and participation rates for calculating the State's Academic Achievement indicator to clarify that for students for whom the eighth grade math exception applies, VDOE counts all students who took the State's Algebra 1 assessment in eighth grade.

### **Title I, Part C: Education of Migratory Children**

#### *Supporting Needs of Migratory Children*

- Virginia removed reference to the specific year it last conducted its comprehensive needs assessment and instead states that the comprehensive needs assessment and service delivery plan are updated every three years.
- Virginia removed reference to the evaluation of services occurring every three years, but maintained language that refers to cyclical evaluation through its Federal program monitoring.
- Virginia removed the following information: duration of summer services (four weeks), definition of dropouts, and coordination with one specific program.
- Virginia removed a bulleted list of services provided under Title I, Part C and a list of specific measurable program objectives and outcomes (MPOs). Virginia states that specific strategies and services and MPOs can be located in its current MEP Service Delivery Plan available on VDOE’s Title I, Part C webpage. This substitution is consistent with the Office of Migrant Education’s (OME’s) technical assistance regarding allowable amendments for Title I, Part C.

### **Title IV, Part A: Student Support and Academic Enrichment Grants**

#### *Use of Funds*

Virginia updated its description of how it will use funds received for State-level activities to include support for identifying and addressing technology readiness needs, technology infrastructure and access, internet connectivity, data security, data privacy, and E-rate participation.