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November 24, 2026

The Honorable Linda McMahon
Secretary of Education
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20002

Dear Secretary McMahon,

I write to you today regarding the U.S. Department of Education's November 23, 2026, decision to label the Virginia Department of Education as a "high risk entity." As you know, this decision follows the recent criminal background check compliance failures of Albemarle County Public Schools and Alexandria City Public Schools. While it is imperative that negligent school districts be held accountable, I respectfully request that the Department pursue a targeted enforcement strategy rather than designating that every school district as a "high risk entity." This blanket designation could possibly affect important federal Title I funding for every school district across Virginia, even those who are compliant with the law.

Albemarle County Public Schools and Alexandria City Public Schools criminal background check failures are a serious violation of state and federal law. Under Virginia state law, finger print and criminal background check information from newly hired employees must be run through the Virginia Department of Social Services Child Protective Services Central Registry, which identifies individuals who have prior child abuse complaints or charges. Additionally, the Every Student Succeeds Act mandates that school districts that receive federal funding must fully comply with their state's criminal background check and reporting requirements for newly hired employees.

Over 500 recently hired employees from Albemarle County Public Schools and 72 employees from Alexandria City Public Schools were not subject to vetting from this registry. Most concerningly, it is alleged that some of these workers should not be around children. These school districts deserve to be held accountable for their failure to properly protect students from employees with sexually predatory criminal histories.

While I applaud your Department's swift actions to withhold federal Title I funding from these noncompliant school districts and your decision to launch a Title IX civil rights investigation into the potential mishandling of sexual assault allegations, I believe that a "high risk entity" designation for the Virginia Department of Education could adversely affect school districts throughout Virginia who are in compliance with state and federal law. Title I funds are vital for these districts, especially for the many rural and economically disadvantaged school districts throughout Virginia's 9th Congressional District. Title I funding helps these school districts hire specialized academic staff for students with learning disabilities, provides essential classroom materials, and grants transportation assistance for students. This "high risk entity" designation could possibly lower the amount of Title I funds that school districts may receive, which only hurts the districts who have worked hard to ensure that their workforce is in compliance with state and federal background check law.

Accordingly, I respectfully request that your Department pursue a targeted enforcement approach for these background check violations that holds accountable the school districts that have violated the law, not those who are compliant. Title I funding is one of the most important resources that many of Virginia's school districts receive from the federal government, and districts that have followed the law should not face the potential of losing some of its funding because of bad actors from another part of the Commonwealth.

Thank you for your prompt consideration of this matter. I look forward to continuing to work with you to provide a safe environment and a first-rate education for our students.

Sincerely,



H. Morgan Griffith
Member of Congress