



VIDE's Adherence to V.I. Code and V.I. Board of Education Title 17: Chapters 1 - 45

Internal Audit Final Report:

October 30, 2024



THE VIRGIN ISLANDS DEPARTMENT OF
EDUCATION

Audit Background, Purpose & Objectives



Background: The Virgin Islands Department of Education (VIDE) must comply with the Virgin Islands Code (VIC), specifically Title 17, Education, encompassing chapters 1 through 45. This regulatory framework outlines various requirements and standards that VIDE must adhere to ensure the quality and effectiveness of education throughout the US Virgin Islands.

Audit Purpose: This assessment aims to confirm that VIDE has mechanisms in place to ensure the mandates as outlined in VIC, Title 17, Education are being met. This audit did not assess the effectiveness of VIDE's policies, procedures or programs. This work was done based on the VIC as of 7/29/2024.

Objectives:

- Assess compliance Title 17 - Conducted a thorough review of existing policies and procedures to ensure they align with Title 17 regulations. Evaluate documentation and records to verify adherence to Title 17 requirements. In instances where Title 17 refers to other areas of the code (etc. Title 3), IA also confirmed compliance.
- Evaluate internal controls - Assessed the design and implementation of the internal control framework against best practices and regulatory requirements.
- Provide recommendations - a comprehensive report detailing the findings from the compliance assessment and internal controls evaluation.

Assessment Approach



Using the unannotated [Virgin Islands Code](#) free public access through the 35th Legislature, Internal Audit (IA):

1. Conducted a comprehensive summary of each chapter of the VIC and its relevance to the VIDE.
2. Conducted a compliance assessment to ensure VIDE is adhering to the specific provisions outlined in the VIC.

In addition, IA access the Virgin Board of Education (VIBE) policies on its [website](#) and performed the following:

1. Perform a thorough evaluation of protocols to assess whether VIBE is following established protocols, best practices, and internal policies and procedures.
2. Evaluate VIBE's adherence to its own policies and procedures.
3. Determine the effectiveness of existing protocols in achieving organizational objectives.

Chapters Included the VIC Analysis



- Chapter 1 – Classification of schools in the territory
- Chapter 2 – Excluded from the VI Code
- Chapter 3 - VIBE (N/A VIDE)
- Chapter 4 – Excluded from the VI Code
- Chapter 5 – Public Schools
- Chapter 6 – Excluded from the VI Code
- Chapter 7 - School years and Holidays
- Chapter 8 – Automobile Driver Education Training Fund
- Chapter 9 – School Attendance
 - Subchapter 1 – General Provisions
 - Subchapter 2 – Free Bus Transportation
- Chapter 10 – School Health Program
- Chapter 11 – Teachers and other Personnel
- Chapter 12 - Excluded from the VI Code
- Chapter 13 – School Nutrition
- Chapter 14 – Excluded from the VI Code
- Chapter 15 – Scholarship (VIBE)
- Chapter 16 – Excluded from the VI Code
- Chapter 17 - Private and Parochial and Denominational Schools
- Chapter 17A – Private Post Secondary Institutes (N/A VIDE)
- Chapter 17B – Public Institution of Higher Education (N/A VIDE)
- Chapter 18 – Excluded from the VI Code
- Chapter 19 – Kindergartens; Day Care Center

Chapters Included the VIC Analysis Cont'd.



- Chapter 20 – Pre-Kindergartens Program
- Chapter 21 – Adult Education
- Chapter 22 – Excluded from the VI Code
- Chapter 23 - Vocational Education and Vocational Rehabilitation
 - Subchapter 1 – Career and Technical Education (VIBE)
 - Subchapter 2 – Career and Technical Rehabilitation
- Chapter 24 – Education of the Disabled
- Chapter 25 – Veteran's Education
- Chapter 26 – United States Virgin Islands Maritime Academy not required (N/A to VIDE)
- Chapter 27 – Hospitality Training School
 - Subchapter 2 – Museums
 - Subchapter 3 - Miscellaneous Provisions Concerning Libraries and Museum (Repealed from the VI Code)
- Chapter 28 - (Excluded from the VI Code)
- Chapter 29 – Scouting (N/A to VIDE)
- Chapter 30 – Educational and Cultural Trips (VIBE)
- Chapter 30A – Junior Reserve Officers' Training Program
- Chapter 31 - Apprenticeship Standards (Removed from the VI code)
- Chapter 32 – Excluded from the VI Code

Chapters Included the VIC Analysis Cont'd.

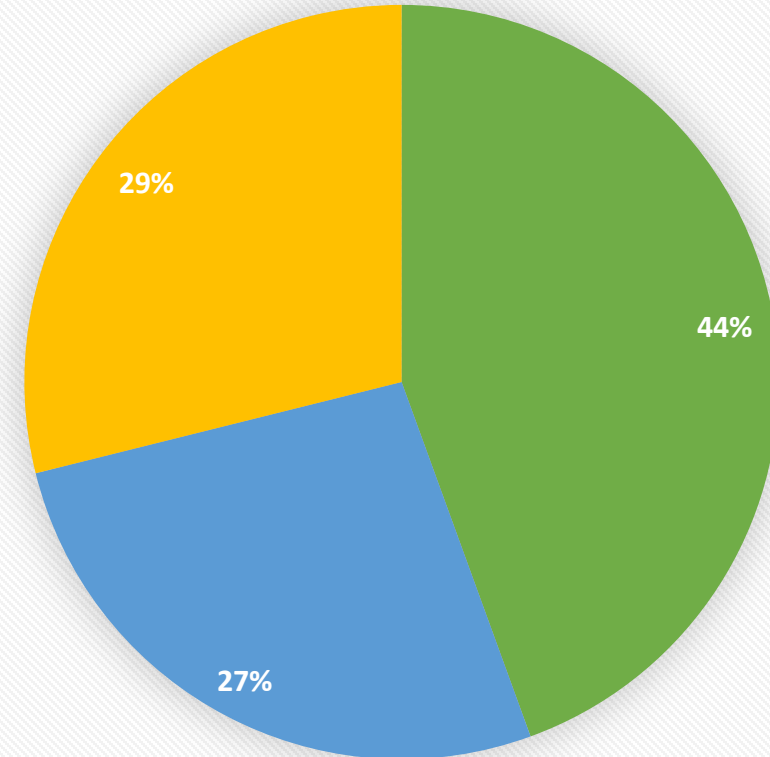


- Chapter 33 – University of the Virgin Islands (N/A to VIDE)
- Chapter 34 – University of the Virgin Islands Research and Technology Park (N/A to VIDE)
 - Subchapter 1 - Declaration of Purpose; Short Title; Definitions
 - Subchapter 2 - University of the Virgin Islands Research and Technology Park
 - Subchapter 3 - VI Catalyst Revolving Loan Fund
- Chapter 35 - The University of the Virgin Islands Fund (N/A to VIDE)
- Chapter 35A - Teacher Recruitment and Training Act (VIBE)
- Chapter 36 – Academic and Cultural Awards Endowment (N/A to VIDE)
- Chapter 37 – Compact for Education (N/A to VIDE)
- Chapter 38 – Excluded from the VI Code
- Chapter 39 – Uniform Athlete Agents Act (N/A to VIDE)
- Chapter 40 – Excluded from the VI Code
- Chapter 41 - Career Day
- Chapter 42 – Conflict Resolution Education (VIBE)
- Chapter 42B – Bullying Prevention, Gang Resistance Education and Training
- Chapter 43 - Research and Technology Park Protected Cell Corporation (N/A to VIDE)
- Chapter 44 - The Dropout Prevention Act
- Chapter 45 - National Guard Youth Challenge Program

Percentage Breakdown of Chapters 1 - 45



Chapters 1 through 45 of section 17 of VIC includes 20 chapters that are applicable to VIDE. 12 chapters are not applicable to VIDE, 13 are open chapters, meaning it doesn't have any content.



Executive Summary



IA conducted research and targeted inquires to confirm adherence to chapters within Title 17 of the VIC.

Chapter	Status
5 – Public Schools	
7 – School Years & Holidays	
8 - Automobile Driver Education and Training	
9 - Sub 1 - General Provisions	
9 – Sub 2 - Free Bus Transportation	
10 - School Health Program	
11 - Teachers and Other Personnel	
13 - Special Nutrition	

Chapter	Status
17 - Private, Parochial and Denominational Schools	
19 - Kindergartens; Day Care Centers	
20 - Pre-Kindergarten Program	
21 - Adult Education	
23 - Vocational Education and Vocational Rehabilitation	
24 - Education of the Disabled	
25 - Veterans' Education	

Legend

	VIDE is in compliance; IA validated
	VIDE is partially in compliance
	VIDE is not in compliance

Executive Summary Cont'd.



Chapter	Status
27 – Hospitality Training	●
30A – Junior Reserve Officers' Training Program	●
41 – Career Day	●
42B - Bullying Prevention, Gang Resistance Education and Training	●
44 - The Dropout Prevention Act	●
45 National Guard Youth Challenge Program-	●

Legend

●	VIDE is in compliance; IA validated
●	VIDE is partially in compliance
●	VIDE is not in compliance



Chapters & Sections VIDE are Adhering To

Chapter 5 – Public Schools (*Partially Compliant*)

- §41a - Bilingual & English Language Development Program
- §41b - Character education
- §41c - Worker Preparation Educational Program
- §41d - Dual Credit program authorized; definition; eligibility; costs and fees; rules; evaluation
- §41e - Proficiency examinations; purpose and use
- §41f - Agriculture in the Classroom Program; basic agriculture education
- §41g - Online learning
- §42 - Free school books; responsibility for return
- §43 - Failure to submit registers, reports, etc.
- §44 - Care of school buildings, equipment, supplies, etc.
- §45 - Use of school buildings and properties
- §46 - High school equivalency program
- §47 - Industrial-art training in St. John—Curriculum - N/A
- §48 - Priority in industrial-art training –N/A
- §49 - Teachers and equipment for industrial-art training in St. John – N/A
- §50 - Rules and regulations to effectuate sections 47–51 – N/A
- §51 - Availability of funds for carrying out sections 47–51 – N/A
- §52 - Repealed. Oct. 11, 2008, No. 7026, § 2, Sess. L. 2008, p. 352 - N/A
- §53 - Availability of funds for purposes of sections 52 and 53 - N/A
- §54 - Musical bands within high schools—Instructors and equipment
- §55 - Availability of funds for bands
- §56 - Rules and regulations to effectuate sections 54–56
- §60a - Athletic fields and recreational facilities
- §60b - Concussions; legislative findings, guidelines, procedure, training
- §60c - Site based management
- §60d - Small-purchase authority



Chapters & Sections VIDE are Adhering to Cont'd.

Chapter 7 – School Year and Holidays (*Fully Compliant*)

Chapter 8 - Automobile Driver Education and Training (Not Compliant)

Chapter 9 – Subchapter 1 – School Attendance (*Fully Compliant*)

Ch. 9 Subchapter 2 – Free Bus Transportation (*Fully Compliant*)

Chapter 10 – School Health Program (*Fully Compliant*)

Chapter 11 – Teachers and other Personnel (*Fully Compliant*)

- §121 - Qualifications, certificates, and appointments ,(Refer to Title 3, section 551)
- §123 – Temporary certificates and emergency appointments,
(Refer to Title 3, section 523 & 529)
- §125 - Appointments as probational, (Refer to Title 3)
- §127 - Dismissal or demotion of professional employees, (Title 3, section 530-532)
- §128 – Leave of Absence,(Refer to Title 3, section 581)

Chapter 13 – Special Nutrition (*Fully Compliant*)

Chapter 17 - Private, Parochial and Denominational Schools (Fully Compliant)

Chapter 19 – Kindergarten; Day Care Center (*Fully Compliant*)

Chapter 20 – Pre-Kindergarten Program (*Fully Compliant*)

Chapter 21 – Adult Education (*Fully Compliant*)

Chapter 23 – Subchapter 1 Career & Technical Education (Fully Compliant)

Chapter 24 – Education of the Disabled (*Fully Compliant*)

Chapter 25 – Veteran’s Education (Fully Compliant)

Chapter 27 – Hospitality Training (Fully Compliant)

Chapter 30A - Junior Reserve Officer’s Training Program (Fully Compliant)

Chapter 41 – Career Day (*Fully Compliant*)

Chapter 42B - Bullying Prevention, Gang Resistance Education and Training (*Fully Compliant*)

Chapter 44 - The Dropout Prevention Act (*Fully Compliant*)

Chapter 45 - National Guard Youth Challenge Program (*Fully Compliant*)

Chapters & Sections VIDE are **Not** Adhering To: Chapter 5, Section & Description



Courses of study: Section 17 V.I.C § 41 (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)

The Virgin Islands Board of Education, upon the recommendation of the Commissioner of Education, shall prescribe the courses of study for all public schools which shall not be less than the minimum standards set by the acknowledged accrediting groups in the United States: provided, that the basic course of study for high schools shall be academic

Course not offered in curriculum & listed in the VI code is real estate appraisal for grades 10–12

EMS Program: Section 17 V.I.C § 41i (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)

The Department of Education shall establish and maintain an integrated basic Emergency Medical Services (EMS) education program within the curriculum administered by qualified instructors and made available to every public high school student in the Virgin Islands.

Chapters & Sections VIDE are **Not** Adhering To: Chapter 5, Section & Description Cont'd.



- 17 V.I.C §57 - Alcohol Education Week—Designation (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)
- The school week following the first Sunday in February of each year is hereby designated as Alcohol Education Week in the public schools of the Territory of the Virgin Islands.
- 17 V.I.C §58 - Instructions concerning use of alcoholic beverages and narcotics (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)
- During this week, each school principal or other designated person shall instruct each class from the seventh grade upward for at least 30 minutes on 3 days concerning the risks and dangers involved in the use of alcoholic beverages and narcotics. The principal, or such other designated person, shall also have at least one assembly session during the week of not less than 45 minutes, at which time the subject of the dangerous effect of alcohol shall be presented.
- 17 V.I.C §59 - Duty of Commissioner of Education (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)
- The Commissioner of Education shall each year call to the attention of each school principal Alcohol Education Week and shall through the Division of Education Programs provide suitable printed materials and other aids for use in the observance of the week.
- 17 V.I.C §60 - Observance of alternate week (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)
- Should a school find it impracticable for any reason to observe Alcohol Education Week at the time designated, the principal may ask permission of the Commissioner of Education to observe an alternate week.

Chapters & Sections VIDE are **Not** Adhering To: Chapter 8, Section & Description



17 V.I.C §§ 71 — 75 & 77 Automobile Driver Education and Training (Confirmed in STX District only; as of the issuance of this report, STT/J District did not confirm.)

§§71 - Authority of the Commissioner of Education

- The Commissioner of Education is authorized to establish and supervise an Automobile Driver Education and Training Program in the public high schools of the Virgin Islands and to issue such rules and regulations as are necessary to accomplish the purposes of this chapter and to implement the provisions of this chapter.

§§72 - Aims and purposes of automobile driver education and training

- The aims and purposes of automobile driver education shall be to develop a knowledge of this provision of the Motor Vehicle Code and other laws of the Virgin Islands relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness and consequences of traffic accidents and the development of the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.

§§73 - Agreements for the purchase or lease of dual control vehicles

- The Commissioner of Education is authorized to purchase or lease through the Department of Property and Procurement, in accordance with the provisions of chapter 23 of Title 31 of the Virgin Islands Code, dual control vehicles and such other equipment as, in the opinion of the Commissioner of Education, is necessary for the development of the Automobile Driver Education and Training Program.



Chapters & Sections VIDE are **Not** Adhering To: Chapter 8, Section & Description

§§74 - Liability insurance

The Commissioner of Education is authorized to contract, through the Department of Property and Procurement, in accordance with the provisions of chapter 23 of Title 31 of the Virgin Islands Code, for insurance coverage on all vehicles to be used in the Automobile Driver Education and Training Program

§§75 – Fees

The Commissioner shall charge a fee of \$50.00 per student enrolled in the Automobile Driver Education and Training Program.

§§77 - Automobile Driver Education and Training Fund

There is hereby created in the Treasury of the Virgin Islands a separate and distinct fund to be designated as the Automobile Driver Education and Training Fund (hereinafter referred to in this section as the "Fund").

Risks of Noncompliance with VIC



The impact of a government department not adhering to local laws can be significant and far-reaching. Potential consequences include, but are not limited to:

1. **Lost Public Trust:** Trust is the cornerstone of effective governance.
2. **Legal Consequences:** This can lead to costly litigation processes and damage to the government's reputation.
3. **Social and Economic Impact:** This can have negative implications for public welfare, economic development, and community well-being.
4. **Political Fallout:** Political leaders and parties may face repercussions, such as public backlash, loss of support, or even resignations, if their departments fail to adhere to local laws and protocols.
5. **Diminished Credibility:** When protocols are ignored, the credibility of the department and its leadership can suffer, affecting its ability to effectively carry out its mandate.
6. **Deterioration of Rule of Law:** The rule of law is fundamental to a functioning society.

Overall, not following required laws can undermine the stability, profitability, and sustainability of VIDE. It is crucial for VIDE to prioritize compliance and integrate legal considerations into their operational strategies.

Recommendations



To ensure that VIDE is adhering to policies and procedures, and to update or align their policies with the VIC, IA recommends:

1. Leverage this analysis of the Department's adherence to Title 17 of the code to establish as a baseline to support our Curriculum and Instruction Division to address identified gaps.
2. Designate a person or division to monitor changes to VIC to confirm continued adherence
3. Policy Review: Form a committee within VIDE to review current policies and update as necessary, draft new policies and procedures, as needed ensuring they align with the VI code.
4. Develop Training Programs: Create training sessions for staff to ensure they understand the updated policies and procedures.
5. Regular Audits: Support regular audits to ensure ongoing compliance with the updated policies

Internal Audit's Next Steps



- Continue to monitor VIDE's compliance with the VIC to ensure adherence to all applicable rules and regulations.
- Integrate compliance monitoring of VIC into the annual action plan follow-up, ensuring it remains a core part of VIDE's strategic oversight and is regularly reviewed throughout the year
- Provide periodic updates and recommendations to VIDE, promoting best practices and addressing potential compliance issues early to prevent escalation.

Refer to the separate Excel file which provides detailed results for each subchapter and section for Title 17 Chapters 1 – 45.