

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 465

An Act to amend and reenact §§ 22.1-340, 22.1-342, and 22.1-343 of the Code of Virginia, relating to the Department of Correctional Education.

[H 1108]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-340, 22.1-342, and 22.1-343 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-340. Authority continued as Department of Correctional Education.

The Rehabilitative School Authority is continued and shall hereafter be known as the Department of Correctional Education. The Department shall be composed of all the educational facilities of all institutions *and community-based programs for adults as set forth in §§ 53.1-67.7 and 53.1-67.8* operated by the Department of Corrections and the Department of Juvenile Justice. The Department of Correctional Education shall be designated as a local education agency (LEA) but shall not be eligible to receive state funds appropriated for direct aid to public education.

§ 22.1-342. System of schools for persons committed to certain institutions.

The Board shall establish and maintain a general system of schools for persons committed to the institutions *and community-based programs for adults as set forth in §§ 53.1-67.7 and 53.1-67.8* composing the Department of Correctional Education. Such system shall include elementary, secondary, post-secondary, career and technical education, adult and special education schools. The Department, through the Board, shall operate all of the schools in the system.

§ 22.1-343. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To adopt and enforce all necessary rules and regulations for the management and operation of the schools in the Department except that the rules and regulations adopted hereunder shall not conflict with rules and regulations relating to security adopted by the institutions to which the pupils are committed;

2. To visit and inspect the schools at reasonably frequent intervals;

3. To establish schools of the appropriate grades, levels and types in the institutions *and community-based programs for adults as set forth in §§ 53.1-67.7 and 53.1-67.8* comprising the Department and to adopt regulations for the admission of pupils thereto;

4. To enter into such agreements with private entities, nonprofit civic organizations, school divisions, and public and private two-year and four-year institutions of higher education as it may deem necessary to provide age appropriate educational programs and training, including career and technical education, career development opportunities, public service projects and other learning experiences in the furtherance of its duties and responsibilities under this chapter for persons committed to the institutions comprising the Department;

5. To promulgate regulations, in cooperation with the Board of Education, for the reenrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this chapter, and those of the Board of Education;

6. To develop and administer, cooperatively with the State Council of Higher Education, the Virginia Higher Education Incentive Program, pursuant to § 23-38.53:8;

7. To receive such private gifts, donations, grants, bequests, and other private funds on behalf of and for use by the Virginia Higher Education Incentive Fund, as provided in § 23-38.53:9;

8. To name the various individual schools, but such names need not be associated or identified with the institution or facility within which they are located;

9. To receive and disburse funds from any source for the purposes of providing education in such Department; and

10. To provide technical assistance to local correctional facilities which house convicted state felons, upon request of any such facility, in establishing or improving career and technical, adult and special education programs.