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SENATE BILL NO. 222

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend and reenact § 23-215 of the Code of Virginia, and to amend the Code of Virginia by adding sections numbered 22.1-16.3, 22.1-86.2, and 23-1.02, relating to cultural diversity policies and equal education opportunity plans; report.

Patron—Marsh

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 23-215 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding sections numbered 22.1-16.3, 22.1-86.2, and 23-1.02 as follows:

§ 22.1-16.3. Board of Education guidelines for cultural diversity policies; dissemination of best practices.

A. The Board of Education shall establish guidelines to assist school boards in developing cultural diversity policies that promote the knowledge of racial and ethnic cultures, and language minority populations, particularly such cultures and populations represented in the public schools of the Commonwealth. Such policies shall be designed to (i) prepare students to live and participate effectively in a global community and an increasingly pluralistic society; (ii) promote communication between and reduce barriers among students and school personnel of diverse racial, ethnic, and cultural backgrounds; (iii) facilitate racial harmony and tolerance; (iv) improve the academic performance of students; (v) contribute to the robust exchange of ideas; and (vi) reinforce the principle of the worth and value of all human beings.

B. The Board shall identify best practices within and outside of the Commonwealth designed to promote the knowledge and appreciation of cultural diversity among students, and to assist instructional, administrative, and support personnel in developing cultural diversity competencies. The Board shall disseminate such information to school divisions, together with best practices within and outside of the Commonwealth that have been developed to aide public schools in improving racial, ethnic, and cultural diversity among school personnel, particularly in positions in which minority persons have been traditionally underrepresented. The Board may issue the guidelines and disseminate such information, pursuant to this section, to school divisions electronically by posting such guidelines and information to its website and through its established procedures of communication with school divisions.

C. For the purposes of this section, "cultural diversity policies" shall not be construed to require mandatory training of students or school personnel concerning cultural diversity, or to require hiring quotas or the employment of persons on the basis of race or ethnicity.

§ 22.1-86.2. School board cultural diversity policies; use of best practices.

A. Each school board shall develop cultural diversity policies, consistent with Board of Education guidelines for cultural diversity policies, that promote the knowledge of racial and ethnic cultures, and language minority populations in the public schools. Such policies shall be designed to (i) prepare students to live and participate effectively in a global community and an increasingly pluralistic society; (ii) promote communication between and reduce barriers among students and school personnel of diverse racial, ethnic, and cultural backgrounds; (iii) facilitate racial harmony and tolerance; (iv) improve the academic performance of students; (v) contribute to the robust exchange of ideas; and (vi) reinforce the principle of the worth and value of all human beings.

B. A school board may use best practices identified by the Board to assist it in improving racial, ethnic, and cultural diversity among school personnel, particularly in positions in which minority persons have been traditionally underrepresented in the school division.

C. For the purposes of this section, "cultural diversity policies" shall not be construed to require mandatory training of students or school personnel concerning cultural diversity, or to require hiring quotas or the employment of persons on the basis of race or ethnicity.

§ 23-1.02. Equal education opportunity plans required of boards of visitors.

Effective on and after July 1, 2004, the boards of visitors of each public institution of higher education in the Commonwealth shall submit an equal education opportunity plan that includes, at a minimum, the institution's objectives, strategy, and initiatives to improve diversity among students, faculty, and administrative and support personnel. In each year following the first year in which such plans are required, the plan shall include (i) any revisions thereto, (ii) the institution's progress towards achieving the plan's objectives in the previous year, (iii) a summary of institutional needs to meet the

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SB222

59 plan, and (iv) a description of and efforts employed to address any obstacles to the plan. The plan shall
60 be submitted to the State Council of Higher Education, and to the Governor and the General Assembly
61 on November 1 of each year in accordance with the procedures of the Division of Legislative Automated
62 Systems for the processing of legislative documents and reports and shall be posted on the General
63 Assembly's website.

64 § 23-215. Responsibilities of Board and System.

65 A. The State Board for Community Colleges heretofore established by law is continued. The Board
66 shall be a corporation under the style of "the State Board for Community Colleges." The State Board
67 shall be responsible, through the exercise of the powers and performance of the duties set forth in this
68 chapter, for the establishment, control, and administration of a statewide system of publicly supported
69 comprehensive community colleges ~~which~~ that shall be known as the Virginia Community College
70 System.

71 B. The Virginia Community College System shall be the state agency with primary responsibility for
72 coordinating workforce training at the postsecondary to the associate degree level, exclusive of the
73 career and technical education programs provided through and administered by the public school system.
74 This responsibility shall not preclude other agencies from also providing such services as appropriate,
75 but these activities shall be coordinated with the community colleges.

76 C. In addition to other responsibilities of the Virginia Community College System, the community
77 colleges shall (i) maximize non-credit course offerings made available to business and industry at a time
78 and place that meet current and projected workforce needs and minimize the cost of non-credit offerings
79 to business and industry to the extent feasible, and (ii) deal directly with employers in designing and
80 offering courses to meet real, current, and projected workforce training needs. The Virginia Community
81 College System shall report on actions taken to meet the requirements of this subsection in its annual
82 report to the General Assembly on workforce development activities required by the appropriation act.

83 D. Effective on and after July 1, 2004, the State Board for Community Colleges shall submit an
84 equal education opportunity plan for the Virginia Community College System that includes, at a
85 minimum, the Board's objectives, strategy, and initiatives to improve diversity among students, faculty,
86 and administrative and support staff throughout the System. In each year following the first year in
87 which such plan is required, the plan shall include (i) any revisions thereto; (ii) the Board's progress
88 achieving the plan's objectives in the previous year, systemwide and at each community college; (iii) a
89 summary of the needs of the Board and the institutions, severally, to meet the plan; and (iv) a
90 description of and efforts employed by the Board and the institutions to address any obstacles to the
91 plan. The plan shall be submitted to the State Council of Higher Education, and to the Governor and
92 the General Assembly on November 1 of each year in accordance with the procedures of the Division of
93 Legislative Automated Systems for the processing of legislative documents and reports and shall be
94 posted on the General Assembly's website.

95 2. That the provisions of § 23-1.02 and subsection D of § 23-215 shall expire on July 1, 2009.