

VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

CHAPTER 786

An Act to amend and reenact § 2.2-2101 of the Code of Virginia, as it is currently effective and as it shall become effective, and to amend the Code of Virginia by adding in Chapter 13 of Title 22.1 an article numbered 1.3, consisting of sections numbered 22.1-212.17 through 22.1-212.22, relating to the Commission on Civics Education.

[H 1769]

Approved March 26, 2005

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2101 of the Code of Virginia, as it is currently effective and as it shall become effective, is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 13 of Title 22.1 an article numbered 1.3, consisting of sections numbered 22.1-212.17 through 22.1-212.22, as follows:

§ 2.2-2101. (Effective until July 1, 2008) Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch of state government that is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position.

The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Council on Indians, who shall be appointed as provided for in § 2.2-2628; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the Commonwealth Competition Commission, who shall be appointed as provided for in § 2.2-2621; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.2-2423; to members of the Advisory Commission on the Virginia Schools for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 37.1-207; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the Council on Virginia's Future, who shall be appointed as provided in § 2.2-2685; ~~or to members of the Virginia Workforce Council, who shall be appointed as provided for in § 2.2-2669; or to members of the Commission on Civics Education, who shall be appointed as provided for in § 22.1-212.18.~~

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The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Council on Indians, who shall be appointed as provided for in § 2.2-2628; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the Commonwealth Competition Commission, who shall be appointed as provided for in § 2.2-2621; to members of the Virginia Geographic Information Network Advisory

Board, who shall be appointed as provided for in § 2.2-2423; to members of the Advisory Commission on the Virginia Schools for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.1; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 37.1-207; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; ~~or to members of the Virginia Workforce Council, who shall be appointed as provided for in § 2.2-2669; or to members of the Commission on Civics Education, who shall be appointed as provided for in § 22.1-212.18.~~

Article 1.3.

Commission on Civics Education.

§ 22.1-212.17. Commission on Civics Education; purpose.

The Commission on Civics Education is established as an advisory commission in the executive branch of state government.

The purposes of the Commission shall include (i) the education of students on the importance of citizen involvement in a representative democracy, (ii) the promotion of the study of state and local government among the Commonwealth's citizenry, and (iii) the enhancement of communication and collaboration among organizations in the Commonwealth that conduct civic education programs.

§ 22.1-212.18. Membership; terms; quorum; meetings.

The Commission shall have a total membership of 23 members that shall consist of six legislative members, 11 nonlegislative citizen members, and six ex officio members.

Members shall be appointed as follows: four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, to be appointed by the Senate Committee on Rules; three nonlegislative citizen members of whom one shall be a school civics or government teacher, one shall be a state coordinator of Virginia Legislators Back to School Week, and one shall be a representative of the Commonwealth's We the People: Project Citizen, to be appointed by the Speaker of the House of Delegates; two nonlegislative citizen members of whom one shall be a representative of the Virginia public television and one shall be a school civics or government teacher, to be appointed by the Senate Committee on Rules; and six nonlegislative citizen members, including one representative from the Virginia Press Association and one representative of a public policy center with one of the Commonwealth's public institutions of higher education, to be appointed by the Governor, subject to confirmation by the General Assembly.

The Governor, Lieutenant Governor, Attorney General, the Superintendent of Public Instruction, and the President of the Board of Education and the Executive Director of the Virginia Law-Related Education Center or their designees shall serve ex officio with voting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative members appointed by the Speaker of the House of Delegates shall be appointed for a term of two years and nonlegislative members shall be appointed for a term of four years. After the initial staggering of terms, nonlegislative citizen members appointed by the Governor shall be appointed for a term of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

The Commission shall elect a chairman and vice chairman from among its membership. A majority of the members shall constitute a quorum.

The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

§ 22.1-212.19. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.

Funding for the costs of compensation and expenses of the members shall be provided by the Department of Education.

§ 22.1-212.20. Powers and duties; report.

The Commission on Civics Education shall have the following powers and duties:

- 1. Develop and coordinate outreach programs in collaboration with schools to educate students on the importance of understanding that (i) representative democracy is a process dependent on reasoned debate, good faith negotiation, and compromise; (ii) individual involvement is a critical factor in community success; and (iii) consideration of and respect for others must be shown when deliberating, negotiating, and advocating positions on public concerns.*
- 2. Identify civic education projects in the Commonwealth and provide technical assistance as may be needed to such programs.*
- 3. Build a network of civic education professionals to share information and strengthen partnerships.*
- 4. Develop, in consultation with entities having representatives on the Commission and others as*

determined by the Commission, a clearinghouse that shall be available on the Department's website. The electronic clearinghouse shall include, among other things, (i) a database of civic education resources, lesson plans, and other programs of best practices in civic education; (ii) a bulletin board to promote discussion on and exchange of ideas relative to civic education; (iii) an events calendar; and (iv) links to civic education research.

5. Make recommendations to the Board of Education regarding revisions to the Standards of Learning for civics and government.

6. Submit to the Governor and the General Assembly an annual report for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports. The chairman shall submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 22.1-212.21. Staffing.

The Department of Education shall provide staff support to the Commission. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

§ 22.1-212.22. Sunset.

This article shall expire on July 1, 2008.

2. That the initial appointments of the nonlegislative citizen members appointed by the Governor shall be staggered as follows: two nonlegislative citizen members appointed for initial terms of one year; two nonlegislative citizen members, including the one representative from the Virginia Press Association, appointed for initial terms of two years; and two nonlegislative citizen members, including the one representative of a public policy center with one of the Commonwealth's public institutions of higher education, appointed for initial terms of three years.