

060298300

**HOUSE BILL NO. 968****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Education  
on January 25, 2006)

(Patron Prior to Substitute—Delegate Ebbin)

*A BILL to amend and reenact §§ 2.2-208, 2.2-221, and 22.1-341 of the Code of Virginia, relating to the Board of Correctional Education.***Be it enacted by the General Assembly of Virginia:****1. That §§ 2.2-208, 2.2-221, and 22.1-341 of the Code of Virginia are amended and reenacted as follows:**

§ 2.2-208. Position established; agencies for which responsible; powers and duties.

The position of Secretary of Education (the "Secretary") is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Education, *Department of Correctional Education*, State Council of Higher Education, Virginia Museum of Fine Arts, The Science Museum of Virginia, Frontier Culture Museum of Virginia, The Library of Virginia, Jamestown-Yorktown Foundation, Board of Regents of Gunston Hall, and the Commission for the Arts. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

Unless the Governor expressly reserves such a power to himself, the Secretary is empowered to resolve administrative, jurisdictional or policy conflicts between any agencies or officers for which he is responsible and to provide policy direction for programs involving more than a single agency. He is authorized to direct the preparation of alternative policies, plans and budgets for education for the Governor and, to that end, may require the assistance of the agencies for which he is responsible. He shall direct the formulation of a comprehensive program budget for cultural affairs encompassing the programs and activities of the agencies involved in cultural affairs.

§ 2.2-221. Position established; agencies for which responsible.

The position of Secretary of Public Safety (the "Secretary") is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Alcoholic Beverage Control, Department of Corrections, Department of Juvenile Justice, ~~Department of Correctional Education,~~ Department of Criminal Justice Services, Virginia Parole Board, Department of Emergency Management, Department of Military Affairs, Department of State Police, Department of Fire Programs and the Commonwealth's Attorneys' Services Council. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

§ 22.1-341. Supervision of Department; composition of Board; terms and vacancies.

The Board of the Rehabilitative School Authority is continued and shall hereafter be known as the Board of Correctional Education. The supervision of the Department shall be vested in the Board of Correctional Education. The Board shall be composed of seven members who shall be appointed by the Governor, subject to confirmation by the General Assembly. *In making appointments, the Governor shall endeavor to select appointees of such qualifications and experience necessary to ensure that membership of the Board includes persons suitably qualified to consider and act upon the various matters under the Board's jurisdiction. These appointees shall include one educator with experience working in special education as defined in § 22.1-213, two educators with experience working with specific learning disabilities as defined in § 22.1-213, one elected official, and one citizen with an immediate family member incarcerated within the Commonwealth.* Members shall be appointed for terms of four years each except that whenever a vacancy occurs other than by expiration of a term, the Governor shall appoint a member for the remainder of that term. No member shall serve more than two consecutive four-year terms. The chairman of the Virginia Parole Board, two persons designated by the Director of the Department of Corrections and the Director of Juvenile Justice and the director of Career and Technical Education in the Department of Education shall serve as ex officio members without vote.