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SENATE BILL NO. 441

Offered January 11, 2006

Prefiled January 11, 2006

A *BILL to amend and reenact § 22.1-341 of the Code of Virginia, relating to the Board of Correctional Education.*

Patron—Lambert

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 22.1-341 of the Code of Virginia is amended and reenacted as follows:**

§ 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, *established as a policy and supervisory board within the executive branch of state government for the purpose of managing and operating the educational facilities and schools in the Department, pursuant to §§ 22.1-340 and 22.1-342.* The Board shall be composed of ~~seven~~ a total of 12 members ~~who shall~~, consisting of seven nonlegislative citizen members to be appointed by the Governor, subject to confirmation by the General Assembly. ~~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, and five members to serve ex officio without vote, as follows: (i) three licensed teachers in the Commonwealth with an endorsement in special education, of whom two shall have experience in educating students with learning disabilities; (ii) one member who shall be an elected local official; (iii) one member who shall be a citizen at large of the Commonwealth whose immediate family member is incarcerated within the Commonwealth; and (iv) two nonlegislative citizen members of the Commonwealth at large. The chairman of the Virginia Parole Board; two persons designated by the Director of the Department of Corrections; the Director of the Department of Juvenile Justice; and the director of Career and Technical Education of the Department of Education shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth. After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. Ex officio members of the Board shall serve terms coincident with their terms of office. 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. No nonlegislative citizen 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. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.~~

All members appointed to the Board shall possess such qualifications as knowledge, expertise, experience, and skills concerning matters within the purview of the Board in order to discharge responsibly the powers and duties of the Board.

2. That the nonlegislative citizen members currently serving on the Board of Correctional Education shall continue to serve until the expiration of their terms. However, vacancies shall be filled in accordance with § 22.1-341.

3. Initial appointments of nonlegislative citizen members shall be staggered as follows: (i) one licensed teacher in the Commonwealth with an endorsement in special education, and one licensed teacher in the Commonwealth with an endorsement in special education and experience in educating students with learning disabilities for a term of four years; (ii) one licensed teacher in the Commonwealth with an endorsement in special education and experience in educating students with learning disabilities, and one nonlegislative citizen member who shall be an elected local official for a term of three years; (iii) one nonlegislative citizen member whose immediate family member is incarcerated in the Commonwealth, and one nonlegislative citizen member at large for a term of two years; and (iv) one nonlegislative citizen member at large for a term of one year appointed by the Governor. After the initial staggering of terms, nonlegislative citizen members shall be appointed for terms of four years.

INTRODUCED

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