

VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

CHAPTER 45

An Act to amend and reenact §§ 22.1-26 and 22.1-118 of the Code of Virginia, relating to the management of funds for joint schools.

[H 2371]

Approved February 19, 2007

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-26 and 22.1-118 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-26. Joint and regional schools; regional public charter schools.

A. Two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools as defined in § 22.1-212.5, comprehensive schools offering all-day academic programs and career and technical education, and regional residential charter schools for at-risk pupils, for the use of their respective school divisions and may jointly purchase, take, hold, lease, convey and condemn both real and personal property for such joint, regional, or regional public charter schools. The school boards, acting jointly, shall have the same power of condemnation as other school boards except that land so condemned shall not be in excess of 30 acres for the use of any one joint or regional school. The title to all property acquired for such purposes shall vest jointly in the school boards in such respective proportions as the school boards may determine, and the schools shall be managed and controlled by the school boards jointly, in accordance with such regulations as are promulgated by the State Board. *With the approval of the participating school boards and the respective local governing bodies, title to property acquired for a joint school shall be vested in the governing body of such school.* However, the regulations in force at the time of the adoption of a plan for the operation of a joint, regional, or regional public charter school shall not be changed for such joint, regional, or regional public charter school by the State Board without the approval of the school boards. The school boards operating a regional public charter school shall determine the school division to which any regional public charter school is assigned for the purposes of any restrictions on the number of public charter schools imposed by § 22.1-212.11.

B. Consistent with the provisions of this section, two or more school boards may, with the consent of the State Board, establish joint or regional schools, including regional public charter schools, to serve as high schools offering (i) in addition to a comprehensive high school curriculum, specialized training to students desiring to pursue careers in law enforcement, fire fighting, emergency and rescue services, and other occupations addressing public safety and welfare; or (ii) a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree; or (iii) both.

Such schools described in clause (i) may be designed to incorporate the instructional services of retired or disabled emergency, fire, rescue, and law-enforcement personnel and internships with local agencies and organizations providing such emergency, fire, rescue, and law-enforcement services.

The relevant school boards operating schools described in clause (ii) may, by agreement, establish alternative schedules for the delivery of instruction that may include alternatives to standard school day and year requirements, subject to the issuance of any necessary waivers by the Board of Education pursuant to § 22.1-79.1 and relevant Board regulations. Such school boards may contract with an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education, as the case may be, pursuant to Chapter 16 (§ 22.1-319 et seq.) of this title or Chapter 21.1 (§ 23-276.1 et seq.) of Title 23, to deliver such instruction, which may include specialized instruction and training for students who are eligible to enroll in public high schools, consistent with §§ 22.1-3, 22.1-5, and 22.1-213.

§ 22.1-118. Management of funds for joint school; county or city treasurer as fiscal agent.

The treasurer of a county or city in which a joint school is located shall be the fiscal agent of such school and shall receive and disburse the funds thereof. *However, the participating school boards of a joint school, including an academic year Governor's School operated by two or more school divisions, may by agreement and with the approval of the respective local governing bodies, select the fiscal agent for the joint school from among the treasurers, as defined in § 58.1-3123, of the participating localities.* All disbursements shall be by warrant signed by the clerk of the committee for control of such school and countersigned by such treasurer as fiscal agent.

For his services as fiscal agent, the treasurer shall be paid such salary as may be agreed upon by the committee for control of the joint school and treasurer. In the event they cannot agree, then the amount of salary to be paid shall be submitted to the circuit court of the county or city in which the school is located for hearing and determination, and the amount so fixed by the court shall be binding upon both the treasurer and the committee. Nothing contained in this section shall affect the regular salary

allowance of the treasurer as fixed annually by the State Compensation Board.

The provisions of this section shall not apply to the property and school known as New London Academy leased under the provisions of Chapter 174 of the Acts of Assembly of 1887, approved May 10, 1887, and acts amendatory thereof, nor shall they apply in any county having a population of more than 30,900 but less than 31,000.

In the case of an academic-year Governor's School operated by two or more school divisions, the relevant school boards may, by agreement and with the approval of the respective local governing bodies, select the fiscal agent for the school from among the treasurers of the participating localities.

2. That an emergency exists and this act is in force from its passage.