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HOUSE BILL NO. 377

Offered January 11, 2006

Prefiled January 6, 2006

A *BILL to amend the Code of Virginia by adding in Chapter 5 of Title 22.1 an article numbered 8, consisting of a section numbered 22.1-57.6, relating to the replacement of local school boards for cause.*

Patron—Dance

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 5 of Title 22.1 an article numbered 8, consisting of a section numbered 22.1-57.6 as follows:

Article 8.

Replacement of Local School Boards.

§ 22.1-57.6. Replacement of Local School Boards.

A. Notwithstanding any law to the contrary, the Board of Education (the Board) shall replace any school board, whether elected or appointed, for neglect of duty in any locality in which all elementary and secondary public schools fail to meet the requirements of the Board's regulations establishing standards for accrediting public schools in Virginia (Standards of Accreditation) for four consecutive years. The Board shall appoint new members to such school boards in accordance with the provisions of this section.

B. Upon exercising its authority to replace an elected school board and before appointing new members for such school board pursuant to subsection A, the Board shall hold a public hearing in the locality in which the school board was empanelled to receive the views and comments of citizens of the locality on the selection of new school board members. The Board shall give notice of such public hearing by publication once a week for two successive weeks in a newspaper having general circulation in such locality. The Board may appoint new members to an appointed school board pursuant to its authority in subsection A without holding a public hearing.

C. The composition of any local school board that has been removed for cause in accordance with the provisions of this section, whether serving by district or at large, and the terms of the members of such school boards shall be maintained when new members are appointed to the school board by the Board. No person elected to a school board prior to July 1, 2006, shall be removed and replaced by the Board.

D. The Board shall replace all members of any school board removed by the Board in accordance with this section within 60 days of the date such members are removed by the Board.

INTRODUCED

HB377