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SENATE BILL NO. 263

Offered January 11, 2006

Prefiled January 10, 2006

A *BILL to amend and reenact Article 4 (§§ 22.1-281 through 22.1-286) of Chapter 14 of Title 22.1 of the Code of Virginia, relating to the triennial census or statistical survey of school-age persons residing in school divisions.*

 Patron—Bell

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That Article 4 (§§ 22.1-281 through 22.1-286) of Chapter 14 of Title 22.1 of the Code of Virginia is amended and reenacted as follows:

ARTICLE 4.

Triennial Census or Statistical Survey.

§ 22.1-281. Triennial census or statistical survey of school population.

Every three years, at a time to be designated by the Superintendent of Public Instruction, a census *or statistical survey* of all persons residing within each school division who, on or before December 31 immediately following the census, will have reached their fifth birthday but not their twentieth birthday shall be taken on forms furnished by the Superintendent of Public Instruction *or otherwise sampled in a statistical survey*. Such persons who are domiciled in orphanages or eleemosynary institutions or who are dependents living on any federal military or naval reservation or other federal property shall be included in the census for the school division within which the institution or federal military or naval reservation or other federal property is located. Such persons who reside in state hospitals or training centers, as defined in § 37.2-100, state or federal correctional institutions, or the Virginia School for the Deaf and the Blind at Staunton, or the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton shall be included in the census for the school division within which the parents or guardians of such person or persons legally reside. If the legal residence of the parents or guardians of such school-age person is not ascertainable, such parents or guardians shall be deemed to be legal residents of the relevant school division regardless of type of residence or temporary shelter from which such person was admitted or committed.

§ 22.1-282. Appointment and compensation of persons taking census or statistical survey.

The census *or statistical survey* shall be taken, *in a manner approved by the Superintendent of Public Instruction, and may be conducted (i) by agents or contractors appointed by each school board on the recommendation of the division superintendent, or (ii) pursuant to a contract for a statistical survey*. Each such agent or contractor shall receive as appropriate compensation for his services pursuant to the contract, to be paid out of the school board's funds; *an amount to be fixed by the school board appointing him. In the discretion of the school board, a reasonable travel allowance may be allowed such agents.*

§ 22.1-283. Collection of other statistics.

The agents *or contractors* taking the census *or conducting the statistical survey* shall also, at the time of taking the census *or conducting the statistical survey*, gather statistics relating to the interests of other education *issues* according to forms furnished by the Superintendent of Public Instruction.

§ 22.1-284. Census and statistical survey results.

The complete results of the census *or statistical survey* required by §§ 22.1-281 and 22.1-283 shall be submitted to the school board as soon as practicable. The division superintendent shall transmit such results, together with any other information required or deemed necessary, to the Superintendent of Public Instruction.

§ 22.1-285. Board may require special census or statistical survey.

The Board of Education is authorized to require a special statewide census *or statistical survey* at any time it deems such census *or statistical survey* necessary for the equitable distribution of state school funds.

§ 22.1-286. Duty of board to see that data is collected.

It shall be the duty of each school board to see that the census *or statistical survey* required by the provisions of this article is taken at the proper time and in the proper manner.

INTRODUCED

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