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HOUSE JOINT RESOLUTION NO. 693

Offered January 9, 2013

Proposing an amendment to Section 5 of Article VIII of the Constitution of Virginia, relating to powers and duties of the Board of Education; opportunity school district.

Patron—Habeeb

Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 5 of Article VIII of the Constitution of Virginia as follows:

ARTICLE VIII

EDUCATION

Section 5. Powers and duties of the Board of Education.

The powers and duties of the Board of Education shall be as follows:

(a) Subject to such criteria and conditions as the General Assembly may prescribe, the Board shall divide the Commonwealth into school divisions of such geographical area and school-age population as will promote the realization of the prescribed standards of quality, and shall periodically review the adequacy of existing school divisions for this purpose.

(b) It shall make annual reports to the Governor and the General Assembly concerning the condition and needs of public education in the Commonwealth, and shall in such report identify any school divisions which have failed to establish and maintain schools meeting the prescribed standards of quality.

(c) It shall certify to the school board of each division a list of qualified persons for the office of division superintendent of schools, one of whom shall be selected to fill the post by the division school board. In the event a division school board fails to select a division superintendent within the time prescribed by law, the Board of Education shall appoint him.

(d) It shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

(e) *Notwithstanding any other provision of this section, the General Assembly shall have authority to establish a statewide school division to supervise and administer schools that have been denied accreditation for a number of consecutive school years as determined by the General Assembly. Supervision of a statewide school division established under this section shall be vested in a single statewide school board, to be composed of members selected in the manner, for the term, possessing the qualifications, and to the number provided by law. The General Assembly shall provide by law for the funding of the statewide school division. Per pupil shares of Standards of Quality, federal, and special education funds may be transferred from the local school district of residence to the statewide school district.*

(f) Subject to the ultimate authority of the General Assembly, the Board shall have primary responsibility and authority for effectuating the educational policy set forth in this Article, and it shall have such other powers and duties as may be prescribed by law.

INTRODUCED

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