

# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 140

*An Act to amend and reenact §§ 2.2-208, 22.1-23, and 23-224 of the Code of Virginia, relating to education; agency coordination.*

[H 1335]

Approved March 16, 2015

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-208, 22.1-23, and 23-224 of the Code of Virginia are amended and reenacted as follows:**

**§ 2.2-208. Position established; agencies for which responsible; powers and duties.**

A. The position of Secretary of Education (the "Secretary") is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Education, State Council of Higher Education, Virginia Museum of Fine Arts, The Science Museum of Virginia, Frontier Culture Museum of Virginia, The Library of Virginia, Jamestown-Yorktown Foundation, Board of Regents of Gunston Hall, the Commission for the Arts, and the Board of Visitors of the Virginia School for the Deaf and the Blind. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

B. Unless the Governor expressly reserves such a power to himself, the Secretary ~~is empowered to~~ *may* (i) resolve administrative, jurisdictional, or policy conflicts between any agencies or officers for which he is responsible and ~~to~~ (ii) provide policy direction for programs involving more than a single agency. ~~He is authorized to~~

C. ~~The Secretary may~~ direct the preparation of alternative policies, plans, and budgets for education for the Governor and, to that end, may require the assistance of the agencies for which he is responsible. ~~He~~

D. ~~The Secretary shall~~ direct the formulation of a comprehensive program budget for cultural affairs encompassing the programs and activities of the agencies involved in cultural affairs.

E. ~~The Secretary shall consult with the agencies for which he is responsible and biennially report to the General Assembly on the coordination efforts among such agencies.~~

**§ 22.1-23. Duties in general.**

The Superintendent of Public Instruction shall:

1. Serve as secretary of the Board of Education;
2. Provide such assistance in his office as shall be necessary for the proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities;
3. Prepare and furnish such forms for attendance officers, teachers and other school officials as are required by law;
4. (Expires July 1, 2015) At least annually, survey all local school divisions to identify critical shortages of teachers and administrative personnel by geographic area, by school division, or by subject matter, and report such critical shortages to each local school division and to the Virginia Retirement System;

5. Along with the State Health Commissioner, work to combat childhood obesity and other chronic health conditions that affect school-age children; ~~and~~

6. ~~Designate an employee of the Department of Education to serve as its liaison to the State Council of Higher Education for Virginia and the State Board for Community Colleges; and~~

7. Perform such other duties as the Board of Education may prescribe.

**§ 23-224. Duties of Chancellor generally.**

~~(a) It shall be the duty of the~~ A. The Chancellor of Community Colleges ~~to~~ *shall* formulate such rules and regulations, and provide for such assistance in his office as shall be necessary for the proper performance of the duties prescribed by the provisions of this chapter.

~~(b) B.~~ B. The State Board shall prescribe the duties of the Chancellor, in addition to those duties otherwise prescribed for him by law, and, in its discretion, approve the appointment by the Chancellor of such agents and employees as may be needed by the Chancellor in the exercise of the functions, duties, and powers conferred and imposed by law and in order to effect a proper organization to carry out his duties.

C. ~~The Chancellor shall designate an employee of the State Board to serve as its liaison to the Board of Education.~~