

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 2.2-2101, as it is currently effective and as it shall become effective,*  
3 *and 22.1-305.2 of the Code of Virginia, relating to the Advisory Board on Teacher Education and*  
4 *Licensure; membership.*

5 [S 1160]

6 Approved

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

8 **1. That §§ 2.2-2101, as it is currently effective and as it shall become effective, and 22.1-305.2 of**  
9 **the Code of Virginia are amended and reenacted as follows:**

10 **§ 2.2-2101. (Effective until July 1, 2017) Prohibition against service by legislators on boards,**  
11 **commissions, and councils within the executive branch; exceptions.**

12 Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils  
13 within the executive branch of state government who are responsible for administering programs  
14 established by the General Assembly. Such prohibition shall not extend to boards, commissions, and  
15 councils engaged solely in policy studies or commemorative activities. If any law directs the  
16 appointment of any member of the General Assembly to a board, commission, or council in the  
17 executive branch of state government that is responsible for administering programs established by the  
18 General Assembly, such portion of such law shall be void, and the Governor shall appoint another  
19 person from the Commonwealth at large to fill such a position.

20 The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall  
21 be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest  
22 Virginia Higher Education Center, who shall be appointed as provided for in § 23.1-3126; to members  
23 of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as  
24 provided for in § 23.1-3121; to members of the Board of Directors of the New College Institute, who  
25 shall be appointed as provided for in § 23.1-3112; *to members of the Advisory Board on Teacher*  
26 *Education and Licensure, who shall be appointed as provided for in § 22.1-305.2;* to members of the  
27 Virginia Interagency Coordinating Council, who shall be appointed as provided for in § 2.2-5204; to  
28 members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to  
29 members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to  
30 § 23.1-3117; to members of the Virginia Geographic Information Network Advisory Board, who shall be  
31 appointed as provided for in § 2.2-2423; to members of the Standards of Learning Innovation  
32 Committee, who shall be appointed as provided for in § 22.1-253.13:10; to members of the Board of  
33 Visitors of the Virginia School for the Deaf and the Blind, who shall be appointed as provided for in  
34 § 22.1-346.2; to members of the Substance Abuse Services Council, who shall be appointed as provided  
35 for in § 2.2-2696; to members of the Criminal Justice Services Board, who shall be appointed as  
36 provided in § 9.1-108; to members of the Council on Virginia's Future, who shall be appointed as  
37 provided for in § 2.2-2685; to members of the State Executive Council for Children's Services, who shall  
38 be appointed as provided in § 2.2-2648; to members of the Virginia Board of Workforce Development,  
39 who shall be appointed as provided for in § 2.2-2471; to members of the Volunteer Firefighters' and  
40 Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in  
41 § 51.1-1201; to members of the Secure Commonwealth Panel, who shall be appointed as provided for in  
42 § 2.2-222.3; to members of the Forensic Science Board, who shall be appointed as provided for in  
43 § 9.1-1109; to members of the Southwest Virginia Cultural Heritage Foundation, who shall be appointed  
44 as provided in § 2.2-2735; or to members of the Virginia Growth and Opportunity Board, who shall be  
45 appointed as provided in § 2.2-2485.

46 **§ 2.2-2101. (Effective July 1, 2017) Prohibition against service by legislators on boards,**  
47 **commissions, and councils within the executive branch; exceptions.**

48 Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils  
49 within the executive branch of state government who are responsible for administering programs  
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53 executive branch of state government that is responsible for administering programs established by the  
54 General Assembly, such portion of such law shall be void, and the Governor shall appoint another  
55 person from the Commonwealth at large to fill such a position.

56 The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall

be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23.1-3126; to members of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as provided for in § 23.1-3121; to members of the Board of Directors of the New College Institute, who shall be appointed as provided for in § 23.1-3112; *to members of the Advisory Board on Teacher Education and Licensure, who shall be appointed as provided for in § 22.1-305.2*; to members of the Virginia Interagency Coordinating Council, who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23.1-3117; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.2-2423; to members of the Standards of Learning Innovation Committee, who shall be appointed as provided for in § 22.1-253.13:10; to members of the Board of Visitors of the Virginia School for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.2; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 2.2-2696; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the State Executive Council for Children's Services, who shall be appointed as provided in § 2.2-2648; to members of the Virginia Board of Workforce Development, who shall be appointed as provided for in § 2.2-2471; to members of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the Secure Commonwealth Panel, who shall be appointed as provided for in § 2.2-222.3; to members of the Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; to members of the Southwest Virginia Cultural Heritage Foundation, who shall be appointed as provided in § 2.2-2735; or to members of the Virginia Growth and Opportunity Board, who shall be appointed as provided in § 2.2-2485.

**§ 22.1-305.2. Advisory Board on Teacher Education and Licensure.**

There is hereby established the Advisory Board on Teacher Education and Licensure, which shall consist of *three legislative members to be appointed as follows: Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates, one member of the Senate to be appointed by the Senate Committee on Rules, and 21 nonlegislative citizen members to be appointed by the Board of Education.* Ten *nonlegislative citizen* members of the Advisory Board shall be classroom teachers, with at least the following representation: three elementary school teachers, three middle school teachers, and three high school teachers. Three *nonlegislative citizen* members of the Advisory Board shall be school administrators, one of whom shall be a school principal, one of whom shall be a division superintendent, and one of whom shall be a school personnel administrator. Four *nonlegislative citizen* members of the Advisory Board shall be faculty members in teacher preparation programs in public or private institutions of higher education, who may represent the arts and sciences. One *nonlegislative citizen* member of the Advisory Board shall be a member of a school board. One *nonlegislative citizen* member of the Advisory Board shall be a member of a parent-teacher association. One *nonlegislative citizen* member of the Advisory Board shall be a representative of the business community, and one *nonlegislative citizen* member shall be a citizen at large. The Superintendent of Public Instruction or his designee and the Director of the State Council of Higher Education or his designee and the Chancellor of the Virginia Community College System or his designee shall serve as nonvoting ex officio members of the Advisory Board.

The Superintendent of Public Instruction shall designate a staff liaison to coordinate the activities of the Advisory Board. The Advisory Board shall meet five times per year or upon the request of its chairman or the Board of Education. The Advisory Board shall annually elect a chairman from its membership. ~~The members of the Advisory Board shall serve without compensation; however, the necessary expenses incurred in the performance of their duties as members of the Advisory Board shall be reimbursed by the Department of Education.~~ *Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the Advisory Board shall be compensated as provided in § 30-19.12. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as members of the Advisory Board as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Department of Education.*

The *nonlegislative citizen* members of the Advisory Board shall be appointed for three-year terms. However, the incumbent members of the Teacher Education Advisory Board serving on July 1, 1990, shall be appointed to serve as initial members of the Advisory Board on Teacher Education and Licensure for the duration of the terms for which they were originally appointed. Upon the expiration of the terms of these incumbent members, the members appointed to replace them shall serve for three-year terms. *Legislative members shall serve terms coincident with their terms of office.* No person may be appointed to serve for more than two consecutive terms. ~~Those serving as incumbent members on July~~

1, 1990, shall be eligible to be reappointed to serve for one additional term. Members shall hold office after expiration of their terms until their successors are duly appointed. *Appointments to fill vacancies of members, other than by expiration of a term, shall be for the unexpired terms. Such vacancies shall be filled in the same manner as the original appointments.*

The Advisory Board on Teacher Education and Licensure shall advise the Board of Education and submit recommendations on policies applicable to the qualifications, examination, licensure, and regulation of school personnel including revocation, suspension, denial, cancellation, reinstatement, and renewals of licensure, fees for processing applications, standards for the approval of preparation programs, reciprocal approval of preparation programs, and other related matters as the Board of Education may request or the Advisory Board may deem necessary. The final authority for licensure of school personnel shall remain with the Board of Education.