

# VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

## CHAPTER 8

*An Act to amend and reenact § 15.1-644 of the Code of Virginia, relating to the department of education in a county with the county manager form of government.*

[H 1516]

Approved February 16, 1995

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

**1. That § 15.1-644 of the Code of Virginia is amended and reenacted as follows:**

§ 15.1-644. Department of education.

The department of education shall consist of the county school board, the division superintendent of schools and the officers and employees thereof. Except as herein otherwise provided, the county school board and the division superintendent of schools shall exercise all the powers conferred and perform all the duties imposed upon them by general law. In addition the parks and playgrounds shall be under the supervision and control of the department of education. *Except for the initial elected board which shall consist of five members*, the county school board shall be composed of not less than three nor more than nine members; however, there shall be at least one school board member ~~appointed~~ *elected* from each of the county's magisterial or election districts. Such members shall be ~~chosen by the board of county supervisors to serve at the pleasure of the appointing board~~ *elected by popular vote from election districts coterminous with the election districts for the board of county supervisors*. The exact number of members shall be determined by the board of county supervisors. *Elections of school board members shall be held to coincide with the elections of members of the board of county supervisors at the regular general election in November. The terms of office for the county school board members shall be the same as the terms of the members of the board of county supervisors and shall commence on January 1 following their election.*

*A vacancy in the office of school board member shall be filled pursuant to §§ 24.2-226 and 24.2-227.*

*In order to have their names placed on the ballot, all candidates shall be nominated only by petition as provided by general law pursuant to § 24.2-506.*

~~The board of county supervisors~~ *county school board* may also appoint a resident of the county to cast the deciding vote in case of a tie vote of the school board as provided in § 22.1-75. The tie breaker, if any, shall be appointed for a four-year term whether appointed to fill a vacancy caused by expiration of term or otherwise.

The chairman of the county school board shall for the purpose of appearing before the board of county supervisors under the provisions of § 15.1-636 be considered head of this department, unless some other person in the department shall be designated by the school board for such purpose.

**2. That an emergency exists and this act is in force from its passage.**