

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-76 of the Code of Virginia and to amend the Code of Virginia by*
3 *adding a section numbered 22.1-57.3:3, relating to elected school boards and the chairman of the*
4 *school board in certain counties.*

5 [H 1692]

6 Approved

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

8 **1. That § 22.1-76 of the Code of Virginia is amended and reenacted and that the Code of Virginia**
9 **is amended by adding a section numbered 22.1-57.3:3 as follows:**

10 § 22.1-57.3:3. *Election of school board and chairman in certain counties.*

11 *A. The provisions of this section shall be applicable in any county (i) which has the county executive*
12 *form of government and which is contiguous to a county having the urban county executive form of*
13 *government and (ii) in which the chairman of the board of supervisors is elected at large.*

14 *B. Following a referendum held in 1994 or thereafter in which the qualified voters of the county*
15 *approve a change to an elected school board, the school board shall be elected as provided in*
16 *§ 22.1-57.3 except as otherwise provided in this section. One member of the school board shall be*
17 *elected at large. All other members shall be elected from the same districts from which the members of*
18 *the board of supervisors other than the chairman are elected. The member of the school board who is*
19 *elected at large at the initial or any subsequent election shall be the chairman of the school board*
20 *during his term of office notwithstanding the provisions of § 22.1-76.*

21 § 22.1-76. Chairman; clerk; vice-chairman; deputy clerk; terms; compensation and bonds of clerk and
22 deputy clerk; officers ineligible to serve as clerk and deputy clerk; approval of division superintendent's
23 designee.

24 *A. Except as provided in § 22.1-57.3:3, at its annual meeting each school board shall elect one of its*
25 *members as chairman, shall approve a designee of the division superintendent to attend meetings of the*
26 *school board in the absence or inability to attend of the superintendent and on recommendation of the*
27 *division superintendent shall appoint a clerk of the school board. The school board may also elect one*
28 *of its members as vice-chairman and may appoint a deputy clerk who shall be empowered to act in all*
29 *matters in case of the absence or inability to act of the chairman or clerk, respectively, or as otherwise*
30 *provided by resolution of the school board. The term of the chairman, clerk and any vice-chairman and*
31 *deputy clerk shall be one year.*

32 *B. The school board shall fix the compensation of the clerk and any deputy clerk.*

33 *C. The school board shall require the clerk and any deputy clerk each to furnish a corporate surety*
34 *bond conditioned upon the faithful performance and discharge of his duties as such. The school board*
35 *shall fix the amount of each bond which shall not be less than \$10,000. The premium for each bond*
36 *shall be paid by the school board.*

37 *D. No mayor, member of the governing body, other officer or deputy officer of a city, town or*
38 *county, other than the division superintendent, shall be eligible for appointment as clerk or deputy clerk*
39 *of a school board in such city, town or county.*

ENROLLED

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