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SENATE BILL NO. 79

Offered January 10, 1996

A BILL to amend and reenact § 15.10, as amended, of Chapter 536 of the Acts of Assembly of 1950, which provided a charter for the City of Alexandria, relating to the school board and school division.

Patrons—Ticer; Delegates: Moran and Van Landingham

Referred to the Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 15.10, as amended, of Chapter 536 of the Acts of Assembly of 1950 is amended and reenacted as follows:

§ 15.10. School Board and School Division.

Beginning July one, nineteen hundred sixty-four, and continuing thereafter the school board of the city of Alexandria shall consist of nine trustees to be selected by the city council from the city at large and the city shall constitute a single school district. The trustees of the school board in office on the effective date of the passage of this section shall continue in office for the terms for which they were selected and thereafter selection of these offices shall be for three-year terms. On or after July one, nineteen hundred sixty-four, the city council shall appoint three new trustees from the city at large whose terms shall begin July one, nineteen hundred sixty-four, one to serve until June thirty, nineteen hundred sixty-five, one to serve until June thirty, nineteen hundred sixty-six, and one to serve until June thirty, nineteen hundred sixty-seven, and thereafter except as hereinafter provided all selections shall be for three years and from the city at large. Students of the public school system of the city shall be eligible to serve as trustees of the school board and may be selected for not more than two years. Whenever a student trustee graduates from or leaves the system there shall be a vacancy. In all other applicable respects the provisions of the general laws of the Commonwealth shall apply with respect to the appointment of school trustees.

(a) *The City of Alexandria shall constitute a single school division.*

(b) *The supervision of schools in the City of Alexandria shall be vested in a school board consisting of nine members. Members of the school board shall be selected by direct election by the voters, unless and until a referendum is passed in favor of changing the method of selecting board members to appointment by the city council, as provided in § 22.1-57.4 of the Code of Virginia, 1950, as amended. The city council shall determine by ordinance whether the school board members shall be elected at large or from election districts, and, if from districts, the council shall establish by ordinance the number and boundaries of the election districts. Elections for school board members shall be held to coincide with the elections for members of the city council which, pursuant to § 10.01 of this charter, are held every three years on the first Tuesday of May. The terms of office of school board members shall commence on the July 1 following the members' elections, shall be for three years and shall run concurrently. Elections for school board members shall be held in accordance with the general laws of the Commonwealth relating to general elections; however, where the provisions of such laws are inconsistent with the provisions of this section, the provisions of this section shall apply.*

(c) *Notwithstanding any contrary provision of law, general or special, a vacancy from whatever cause in the office of school board member filled by direct election by the voters shall be filled as follows:*

(1) *A vacancy which occurs on or before 180 days prior to the next ensuing regular school board election shall be filled by a special popular election for the unexpired term of the office. In the event of such vacancy, the school board shall by resolution certify that such vacancy exists to the Circuit Court of the City of Alexandria, and the said court shall order a special election to be held not less than forty, nor more than sixty days after the filing of the resolution to fill the vacancy. Candidates shall file their declarations of candidacy and any statements or petitions required by general law not less than thirty days before said election. The election shall be conducted, and the results thereof ascertained, in the manner provided by law for the conduct of elections and by the regular election officials of the city;*

(2) *A vacancy which occurs within 180 days of the next ensuing regular school board election shall be filled for the unexpired term by appointment by the chief judge of the Circuit Court of the City of Alexandria;*

(3) *When a vacancy on the school board is created by the departure of the board chairman, the remaining members of the board shall, as soon as practicable and by majority vote, select a new chairman.*

INTRODUCED

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60 2. That an emergency exists and this act shall be in force from its passage, but that this act shall
61 not be enforced until pre-clearance approval is obtained from the Attorney General of the United
62 States pursuant to § 5 of the Voting Rights Act of 1965.
63 3. That the members of the school board in office on the effective date of the passage of this act,
64 including any member appointed to the board pursuant to Virginia Code § 24.2-227, shall continue
65 in office until July 1, 1997.