

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-79 of the Code of Virginia, relating to school board contracts for*
3 *certain services.*

4 [H 2123]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-79 of the Code of Virginia is amended and reenacted as follows:**

8 § 22.1-79. Powers and duties.

9 A school board shall:

10 1. See that the school laws are properly explained, enforced and observed;
11 2. Secure, by visitation or otherwise, as full information as possible about the conduct of the public
12 schools in the school division and take care that they are conducted according to law and with the
13 utmost efficiency;

14 3. Care for, manage and control the property of the school division and provide for the erecting,
15 furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances
16 and the maintenance thereof by purchase, lease, or other contracts;

17 4. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil
18 assignment plans whenever such procedure will contribute to the efficiency of the school division;

19 5. Insofar as not inconsistent with state statutes and regulations of the Board of Education, operate
20 and maintain the public schools in the school division and determine the length of the school term, the
21 studies to be pursued, the methods of teaching and the government to be employed in the schools;

22 6. In instances in which no grievance procedure has been adopted prior to January 1, 1991, establish
23 and administer by July 1, 1992, a grievance procedure for all school board employees, except the
24 division superintendent and those employees covered under the provisions of Article 2 (§ 22.1-293 et
25 seq.) and Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, who have completed such
26 probationary period as may be required by the school board, not to exceed eighteen months. The
27 grievance procedure shall afford a timely and fair method of the resolution of disputes arising between
28 the school board and such employees regarding dismissal, suspension, or other disciplinary actions and
29 shall be consistent with the provisions of the Board of Education's procedures for adjusting grievances
30 except that there shall be no right to a hearing before a fact-finding panel;

31 7. Perform such other duties as shall be prescribed by the Board of Education or as are imposed by
32 law; and

33 8. Obtain public comment through a public hearing not less than ten days after reasonable notice to
34 the public in a newspaper of general circulation in the school division prior to providing (i) for the
35 consolidation of schools; (ii) the transfer *from the public school system* of the administration of all
36 instructional services for any public school classroom *or all noninstructional services* in the school
37 division pursuant to a contract with any private entity or organization; or (iii) in school divisions having
38 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting
39 any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average
40 daily membership in the affected school. Such public hearing may be held at the same time and place as
41 the meeting of the school board at which the proposed action is taken if the public hearing is held
42 before the action is taken. If a public hearing has been held prior to the effective date of this provision
43 on a proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the
44 effective date of this provision, an additional public hearing shall not be required.

ENROLLED

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