

974272188

HOUSE BILL NO. 2671

Offered January 20, 1997

A BILL to amend and reenact §§ 22.1-343, 53.1-5, and 66-10 of the Code of Virginia, relating to criminal statistics reporting.

Patrons—Cunningham, Christian, Crittenden, McEachin and Spruill

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-343, 53.1-5, and 66-10 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-343. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To adopt and enforce all necessary rules and regulations for the management and operation of the schools in the Department except that the rules and regulations adopted hereunder shall not conflict with rules and regulations relating to security adopted by the institutions to which the pupils are committed;

2. To collect data pertaining to the demographic characteristics of pupils enrolled in the schools at the juvenile correctional institutions, including, but not limited to, the race or ethnicity, age, and gender of such pupils; their educational level upon entry into and upon discharge from the correctional institution, and the types of and extent to which learning disabilities and health conditions are prevalent among such pupils; and the number of persons participating in the Literacy Incentive Program and on waiting lists for such educational programs. Beginning July 1, 1997, such data shall be collected and tabulated quarterly, and reported by the Board to the Governor and the General Assembly at each regular session of the General Assembly thereafter.

2. 3. To visit and inspect the schools at reasonably frequent intervals;

3. 4. To establish schools of the appropriate grades, levels and types in the institutions comprising the Department and to adopt regulations for the admission of pupils thereto;

4. 5. To enter into such agreements with private entities, nonprofit civic organizations, school divisions, and public and private two-year and four-year institutions of higher education as it may deem necessary to provide age appropriate educational programs, vocational and technical training, career development opportunities, public service projects and other learning experiences in the furtherance of its duties and responsibilities under this chapter for persons committed to the institutions comprising the Department;

5. 6. To promulgate regulations, in cooperation with the Board of Education, for the reenrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this chapter, and those of the Board of Education.

6. 7. To develop and administer, cooperatively with the State Council of Higher Education, the Virginia Higher Education Incentive Program, pursuant to § 23-38.53:8;

7. 8. To receive such private gifts, donations, grants, bequests, and other private funds on behalf of and for use by the Virginia Higher Education Incentive Fund, as provided in § 23-38.53:9;

8. 9. To name the various individual schools, but such names need not be associated or identified with the institution or facility within which they are located;

9. 10. To receive and disburse funds from any source for the purposes of providing education in such Department; and

10. 11. To provide technical assistance to local correctional facilities which house convicted state felons, upon request of any such facility, in establishing or improving vocational, technical, adult and special education programs.

§ 53.1-5. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To develop and establish program and fiscal standards and goals governing the operation of state, local and community correctional facilities and community correctional services;

2. To ensure the development of long-range programs and plans for corrections services provided at the state and local levels;

3. To collect data pertaining to the demographic characteristics of adults, and juveniles who are adjudicated as adults, incarcerated in state correctional institutions, including, but not limited to, the race or ethnicity, age, and gender of such persons; their educational level upon entry into and upon

INTRODUCED

HB2671

discharge from the correctional institution, and the types of and extent to which learning disabilities and health conditions are prevalent among such persons; and the number of persons participating in the Literacy Incentive Program and on waiting lists for such educational programs. Beginning July 1, 1997, such data shall be collected and tabulated quarterly, and reported by the Board to the Governor and the General Assembly at each regular session of the General Assembly thereafter.

3. 4. To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds;

4. 5. To monitor the activities of the Department and its effectiveness in implementing the standards and goals of the Board;

5. 6. To advise the Governor, Director and General Assembly on matters relating to corrections;

6. 7. To make, adopt and promulgate such rules and regulations as may be necessary to carry out the provisions of this title and other laws of the Commonwealth administered by the Director or the Department; and

7. 8. To ensure the development of programs to educate citizens and elicit public support for the activities of the Department.

§ 66-10. Powers and duties of Board.

The Board shall have the following powers and duties:

1. To develop and establish programmatic and fiscal policies governing the operation of programs and facilities for which the Department is responsible under this law.

2. *To collect data pertaining to the demographic characteristics of juveniles incarcerated in state juvenile correctional institutions, including, but not limited to, the race or ethnicity, age, and gender of such persons; their educational level upon and attained after entry into the correctional institution, and the types of and extent to which learning disabilities and health conditions are prevalent among such persons; and the number of persons participating in the Literacy Incentive Program and on waiting lists for such educational programs. Beginning July 1, 1997, such data shall be collected and tabulated quarterly, and reported by the Board to the Governor and the General Assembly at each regular session of the General Assembly thereafter.*

2. 3. To ensure the development and implementation of a long-range youth services policy.

3. 4. To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds.

4. 5. To monitor the activities of the Department and its effectiveness in implementing the policies of the Board.

5. 6. To advise the Governor, Director and the General Assembly on matters relating to youth services.

6. 7. To promulgate such regulations as may be necessary to carry out the provisions of this title and other laws of the Commonwealth administered by the Director or the Department. The Board of Youth and Family Services may adopt such Board of Corrections' regulations and standards as it may deem appropriate. If regulations and standards so adopted are not amended substantively by the Board of Youth and Family Services, such Board need not comply with the provisions of Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of Title 9.

7. 8. To ensure the development of programs to educate citizens and elicit public support for the activities of the Department.

8. 9. To establish length-of-stay guidelines for juveniles indeterminately committed to the Department and to make such guidelines available for public comment.