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## SENATE BILL NO. 324

Offered January 8, 2020

Prefiled January 6, 2020

A *BILL to amend and reenact §§ 22.1-23, 22.1-70.3, and 22.1-79 of the Code of Virginia, relating to school bus drivers; critical shortages.*

Patrons—Deeds and Chase

Referred to Committee on Education and Health

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

**1. That §§ 22.1-23, 22.1-70.3, and 22.1-79 of the Code of Virginia are amended and reenacted as follows:**

**§ 22.1-23. Duties in general.**

The Superintendent of Public Instruction shall:

1. Serve as secretary of the Board of Education;
2. Provide such assistance in his office as shall be necessary for the proper and uniform enforcement of the provisions of the school laws in cooperation with the local school authorities;
3. Prepare and furnish such forms for attendance officers, teachers and other school officials as are required by law;

4. (Expires July 1, 2025) At least annually, survey all local school divisions to identify critical shortages of (i) teachers and administrative personnel by geographic area, by school division, or by subject matter; and (ii) *school bus drivers by geographic area and local school division* and report such critical shortages to each local school division and to the Virginia Retirement System;

5. Develop and provide to local school divisions a model exit questionnaire for teachers;

6. Along with the State Health Commissioner, work to combat childhood obesity and other chronic health conditions that affect school-age children;

7. Designate an employee of the Department of Education to serve as its liaison to the State Council of Higher Education for Virginia and the State Board for Community Colleges; and

8. Perform such other duties as the Board of Education may prescribe.

**§ 22.1-70.3. (Expires July 1, 2025) Designation of teacher shortage areas.**

Each division superintendent shall at least annually, if so requested by the local school board pursuant to subdivision 9 of § 22.1-79, survey the relevant local school division to identify critical shortages of (i) teachers and administrative personnel by subject matter and (ii) *school bus drivers* and report such critical shortages to the school board, Superintendent of Public Instruction, and to the Virginia Retirement System.

**§ 22.1-79. Powers and duties.**

A school board shall:

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

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

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

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

6. In instances in which no grievance procedure has been adopted prior to January 1, 1991, establish and administer by July 1, 1992, a grievance procedure for all school board employees, except the division superintendent and those employees covered under the provisions of Article 2 (§ 22.1-293 et seq.) and Article 3 (§ 22.1-306 et seq.) of Chapter 15 of this title, who have completed such probationary period as may be required by the school board, not to exceed 18 months. The grievance procedure shall afford a timely and fair method of the resolution of disputes arising between the school board and such employees regarding dismissal or other disciplinary actions, excluding suspensions, and shall be consistent with the provisions of the Board of Education's procedures for adjusting grievances. Except in the case of dismissal, suspension, or other disciplinary action, the grievance procedure

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59 prescribed by the Board of Education pursuant to § 22.1-308 shall apply to all full-time employees of a  
60 school board, except supervisory employees;

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

63 8. Obtain public comment through a public hearing not less than 10 days after reasonable notice to  
64 the public in a newspaper of general circulation in the school division prior to providing (i) for the  
65 consolidation of schools; (ii) the transfer from the public school system of the administration of all  
66 instructional services for any public school classroom or all noninstructional services in the school  
67 division pursuant to a contract with any private entity or organization; or (iii) in school divisions having  
68 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting  
69 any pupil assignment plan affecting the assignment of 15 percent or more of the pupils in average daily  
70 membership in the affected school. Such public hearing may be held at the same time and place as the  
71 meeting of the school board at which the proposed action is taken if the public hearing is held before  
72 the action is taken. If a public hearing has been held prior to the effective date of this provision on a  
73 proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the  
74 effective date of this provision, an additional public hearing shall not be required;

75 9. (Expires July 1, 2025) At least annually, survey the school division to identify critical shortages of  
76 (i) teachers and administrative personnel by subject matter; and (ii) *school bus drivers* and report such  
77 critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System;  
78 however, the school board may request the division superintendent to conduct such survey and submit  
79 such report to the school board, the Superintendent, and the Virginia Retirement System; and

80 10. Ensure that the public schools within the school division are registered with the Department of  
81 State Police to receive from the State Police electronic notice of the registration or reregistration of any  
82 sex offender within that school division pursuant to § 9.1-914.