

# VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

## CHAPTER 428

*An Act to amend and reenact §§ 22.1-346.2 and 23.1-818 of the Code of Virginia, relating to Board of Visitors of the Virginia School for the Deaf and the Blind; authority to establish campus security department.*

[S 826]

Approved March 23, 2023

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

- 1. That §§ 22.1-346.2 and 23.1-818 of the Code of Virginia are amended and reenacted as follows: § 22.1-346.2. Board of Visitors of the Virginia School for the Deaf and the Blind established.**

A. There is hereby established the Board of Visitors of the Virginia School for the Deaf and the Blind (Board of Visitors), as a policy agency in the executive branch of state government under the name of the "Virginia School for the Deaf and the Blind," for the purpose of governing the educational programs and services to deaf, blind, and multi-disabled students enrolled at the Virginia School for the Deaf and the Blind.

B. The Board of Visitors shall have a total membership of 11 members that shall consist of four legislative members and seven nonlegislative citizen members. Members shall be appointed as follows: two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, to be appointed by the Senate Committee on Rules; and seven nonlegislative citizen members, of whom one shall be a parent of a child who is deaf or blind representing the Eastern region of the Commonwealth, one shall be a parent of a child who is deaf or blind representing the Western region of the Commonwealth, and one shall be a representative of the Virginia School for the Deaf and the Blind Alumni Association, to be appointed by the Governor, subject to confirmation by the General Assembly. Nonlegislative citizen members of the Board of Visitors shall be citizens of the Commonwealth. Legislative members of the Board of Visitors shall serve terms coincident with their terms of office. After the initial staggering of terms, nonlegislative members appointed shall serve for four-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed. However, no House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and no nonlegislative member appointed by the Governor shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

The Board of Visitors shall elect a chairman and vice-chairman from among its membership. The Board of Visitors shall elect a secretary, who shall keep an accurate record of the proceedings of the Board of Visitors and of the executive committee if one is created by the Board of Visitors, and such other officers as the Board deems appropriate. A majority of the members shall constitute a quorum. The Board of Visitors shall meet no more than four times each year. The meetings of the Board of Visitors shall be held at the call of the chairman or whenever the majority of the members so request.

C. Legislative members of the Board of Visitors shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of expenses of the members shall be provided from such funds as may be appropriated to the Board of Visitors, in accordance with the appropriations act.

D. The Superintendent shall designate a member of the staff of the Department to serve as a consultant to the Board of Visitors on matters pertaining to instruction, federal and state special education requirements, and school accreditation, and to provide technical assistance to assist the Board of Visitors in meeting specific instructional and school accreditation needs.

E. The Board of Visitors shall have the following powers and duties:

1. Establish such rules, policies, and regulations for the governance of the Virginia School for the Deaf and the Blind.

2. Prescribe the criteria and procedures governing admissions to the school, and the review of student placement, to ensure the appropriateness of the placement and instructional program of each student admitted to the school, pursuant to § 22.1-348 and in accordance with federal and state special education laws and regulations.

3. Establish a policy governing the transportation of students at the school to permit frequent home visits by students, and to provide to each student transportation to and from the school and the place of

residence of such student's parent or guardian whenever the school is officially closed.

4. Prescribe and approve the education programs of the Virginia School for the Deaf and the Blind, in consultation with the Department, the Department for the Deaf and Hard-of-Hearing, and the Department for the Blind and Vision Impaired.

5. Appoint the superintendent, other officers, and the faculty of the school. The superintendent shall be appointed every two years and the other officers and faculty annually. However, the superintendent, with the approval of the chairman of the Board of Visitors, shall be authorized to fill vacancies in positions appointed by the Board of Visitors occurring between meetings of the Board of Visitors. The Board of Visitors may remove at any time the superintendent, other officers, faculty, and employees for cause, subject to the provisions of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2.

6. Establish the qualifications, duties, and compensation of the superintendent, other officers, faculty, and employees of the school.

7. Prepare and submit to the Governor and the General Assembly an annual report detailing the curricula and other educational programs and services of the school, including receipts and disbursements pertaining to the operation of the school for each fiscal year ending on June 30.

*F. The Board of Visitors is hereby authorized to establish and maintain a campus security department and to employ campus security personnel therein.*

**§ 23.1-818. Security departments and other security services.**

Nothing in this article shall abridge the authority of the governing board of a public institution of higher education or private institution of higher education to establish security departments, whose officers and employees shall not have the powers and duties set forth in § 23.1-815, in place of or in addition to campus police departments, rely upon local or state police forces, or contract for security services from private parties. *Nothing in this article shall abridge the authority of the Board of Visitors of the Virginia School for the Deaf and the Blind to establish and maintain a campus security department and to employ campus security personnel therein in accordance with the provisions of subsection F of § 22.1-346.2.*