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HOUSE BILL NO. 958

Offered January 10, 2024

Prefiled January 9, 2024

A BILL to amend and reenact § 22.1-76 of the Code of Virginia, relating to school boards; student member required.

Patrons—Lopez, Clark, Henson, Hope, Martinez and Rasoul

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-76 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-76. Chairman; clerk; vice-chairman; deputy clerk; terms; compensation and bonds of clerk and deputy clerk; officers ineligible to serve as clerk and deputy clerk; approval of division superintendent's designee; student member.

A. Except as provided in § 22.1-57.3:3, at its annual meeting each school board shall elect one of its members as chairman, shall approve a designee of the division superintendent to attend meetings of the school board in the absence or inability to attend of the superintendent and on recommendation of the division superintendent shall appoint a clerk of the school board. The school board may also elect one of its members as vice-chairman and may appoint a deputy clerk who shall be empowered to act in all matters in case of the absence or inability to act of the chairman or clerk, respectively, or as otherwise provided by resolution of the school board. The term of the chairman, clerk and any vice-chairman and deputy clerk shall be one year.

B. The school board shall fix the compensation of the clerk and any deputy clerk.

C. The school board shall require the clerk and any deputy clerk each to furnish a corporate surety bond conditioned upon the faithful performance and discharge of his duties as such. The school board shall fix the amount of each bond which shall not be less than \$10,000. The premium for each bond shall be paid by the school board.

D. No mayor, member of the governing body, other officer or deputy officer of a city, town or county, other than the division superintendent, shall be eligible for appointment as clerk or deputy clerk of a school board in such city, town or county.

E. Notwithstanding § 22.1-29 or any other provision of law to the contrary, each school board shall establish a method for the selection of a student to serve as a member of the school board, subject to the following conditions:

1. The student is enrolled in a public high school in the local school division;

2. Any student described in subdivision 1 is eligible to be selected as a member of the school board without regard to such student's age or citizenship status, provided, however, that in the event that the method for selection of the student member is election, the student meets the qualifications to hold elective office set forth in Article II, Section 5 of the Constitution of Virginia;

3. The school board establishes detailed policies, procedures, and timelines relating to such selection method, including policies that establish term length, eligibility to serve with or without voting privileges, eligibility for a salary as set forth in § 22.1-32, eligibility for selection to subsequent terms, and grounds for removal; and

4. Each student selected to serve as a member of the school board serves in addition to and not as a replacement for any member duly authorized and selected to serve on the school board in accordance with relevant law, and each such student member factors into the calculation of a quorum as set forth in § 22.1-73.