

Supervision of Schools and School Board Powers and Duties

Constitution of Virginia

Article VIII, Section 7 of the Virginia Constitution provides that “the supervision of schools in each school division shall be vested in a school board, to be composed of members selected in the manner, for the term, possessing the qualifications, and to the number provided by law.”

Code of Virginia

The Virginia Code sets forth the basic duties of school boards in Section 22.1-79, including board duties related to consolidation of schools (underlined).

§ 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 that there shall be no right to a hearing before a fact-finding panel. Except in the case of dismissal, suspension, or other disciplinary action, the grievance procedure prescribed by the Board of Education pursuant to § [22.1-308](#) shall apply to all full-time employees of a school board, except supervisory employees;
7. Perform such other duties as shall be prescribed by the Board of Education or as are imposed by law;

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

9. (Expires July 1, 2015) At least annually, survey the school division to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System; however, the school board may request the division superintendent to conduct such survey and submit such report to the school board, the Superintendent, and the Virginia Retirement System; and

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

ACPS School Board Policy (BBA)

The Albemarle County School Board establishes the vision and mission for the school division. The Division goals are based on this vision and mission. Yearly, by August 31, the Board reviews and revises its Biennial Board/Superintendent Priorities to support the achievement of these goals.

The Albemarle County School Board and the Superintendent are bound in a partnership of mutual trust and vision. The Superintendent and School Board are responsible for selecting the results that the school system should be pursuing. Since they have the power to pursue and enforce these decisions, these policy makers are primarily accountable for these results. Together, the Superintendent and School Board take primary responsibility for ensuring the Albemarle County Public School Division is an effective school system. This means the school division is one in which resources are organized and delivered in such a way as to assure that all students within the system learn the essential curriculum as defined by that system. An effective school system, through its mission and goals, its instructional program and support services, and its allocation of resources assures that its priorities are teaching for learning, and that its focus is on both quality and equity. In order to reaffirm their partnership in fulfilling this responsibility, the School Board and the Superintendent share common areas of periodic evaluation in order to provide an effective School Division for our children.

Role of the School Board

The role of the School Board is to establish the vision, mission, and goals of the Albemarle County Public Schools. Specific responsibilities include the following:

1. Establish and communicate a clear mission and the Strategic Plan for the School Division.
2. Ensure that the school laws are properly explained, enforced, and observed.
3. Secure, by visitation or otherwise, as much 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.
4. Care for, manage, and control the property of the school division and provide for the erecting, furnishing, and equipping of necessary school buildings and appurtenances and the maintenance thereof.
5. 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.
6. 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.
7. Establish instructional and management priorities to support the achievement of the Division vision, mission, and goals and evaluate progress on achieving these priorities.
8. Develop and adopt policies that determine the operation of the Albemarle County Public Schools.
9. Recruit, hire, and evaluate the Superintendent who will carry out the policies of the Board in accordance with existing federal and state regulations and statutes.
10. Adopt an annual budget that will provide the financial basis for buildings, furnishings, staff, materials, equipment, and transportation needed to educate the students of Albemarle County.
11. Ensure that all funds are accurately accounted for and disbursed according to the adopted budget.
12. Establish policies governing salaries and salary schedules, terms and conditions of employment, fringe benefits, leave and in-service training, and equitable evaluation for all employees.
13. Act on personnel recommendations of Superintendent and enter into contract with such personnel when required by law.
14. Communicate with various constituencies to receive input and gather support for public education.
15. Act as final adjudicator as delineated by policy, federal and state regulations, and statutes.
16. Follow office protocol as defined for the School Board and Superintendent.
17. Perform such other duties as prescribed by the State Board of Education or as are imposed by law.
18. Ensure that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to section 9.1-914.