

### **§ 56. Powers and duties of the school board.**

The school board members of the city school board shall be a body corporate under the name and style of the School Board of the city of Roanoke, and shall have all of the powers, perform all of the duties and be subject to all of the limitations now provided, or which may hereafter be provided by law in regard to school boards of cities and except that all real estate with the buildings and improvements thereon heretofore or hereafter purchased with money received from the sale of bonds of this city, appropriated by the council or received from any other source for the purpose of public education, shall be the property of the city of Roanoke, unless such money so received from any other source be received on other conditions. The school board shall transmit to the council and to the city director of finance a detailed statement of all moneys received by the board or placed to its credit. Separate accounts shall be kept by the board of moneys appropriated by the council, and moneys received from other sources, and every such statement shall show the balance of each class of funds on hand or under control of the board as of the date thereof.

The school board shall on or before March 15 each fiscal year prepare and submit to the council or its designee for its information in making up its proposed annual budget a detailed estimate, in such form as the council or its designee shall require, of the amount of money required for the conduct of the public schools of the city for the ensuing fiscal year, with an estimate of the amount of all funds which will probably be received by the board for the purpose of public education from sources other than appropriations by the council.

The council may, at its discretion, by ordinance provide for an audit of the affairs and records of the school board by the municipal auditor or by any other competent person or firm selected by the council.

(Acts 1956, Ch. 393, § 1; Acts 1962, Ch. 442, § 1; Acts 1978, Ch. 77, § 1; Acts 1981, Ch. 364, § 1; Acts 2002, Ch. 685, § 1)

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,  
The 18th day of January, 2005.

No. 36943-011805.

AN ORDINANCE amending Article II, Procedure for Election of School Trustees, of Chapter 9, Education, Code of the City of Roanoke (1979), as amended, by repealing §§9-16, through 9-23, relating to the election of school trustees, and by adding a new §9-24, Filling of vacancies on school board, in order to simplify the process of filling such vacancies; and dispensing with the second reading by title paragraph of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Article II, Procedure for Election of School Trustees, of Chapter 9, Education, Code of the City of Roanoke (1979), as amended, is hereby amended by repealing §§9-16 through 9-23, relating to the election of school trustees, and by adding a new §9-24, Filling of vacancies on school board, and such Article shall read and provide as follows:

ARTICLE II. PROCEDURE FOR ELECTION OF SCHOOL BOARD TRUSTEES

~~§ 9-16. Initial announcement.~~

~~On or before February 15 of each year, the council shall announce its intention to elect trustees of the city school board, for terms commencing July 1, through public announcement of such intention at two (2) consecutive regular sessions of the council and advertisement of such intention in a newspaper of general circulation in the city twice a week for two (2) consecutive weeks. At least one (1) of the required advertisements shall be in a Sunday edition of the newspaper selected. Such advertisements shall be no less than four (4) inches by three (3) inches in size and shall not be located in the legal notices section of the newspaper. The mass media shall be encouraged to make public service announcements of the impending election of school trustees and the selection procedures required by this article.~~

~~§ 9-17. Candidate's application.~~

~~— The council shall elect school trustees only from among those persons, including incumbent trustees, who have declared their candidacy by filing an application with the office of the city clerk by such time as council may establish each year. Such application shall be on a form prescribed by the council and supplied by the city clerk. Such application, once filed in the office of the city clerk, shall be open to public inspection.~~

~~§ 9-18. Information to be supplied candidate.~~

~~— Upon a candidate's filing the application required by section 9-17 for the office of school trustee, the city clerk shall supply such candidate with written information prescribed by the council describing the duties and responsibilities of the trustees of the city school board.~~

~~§ 9-19. Preliminary screening of candidates.~~

~~— On or before March 31 of each year, the council, as a committee of the whole, shall, at a regular or special meeting, review and consider all candidates for the position of school trustee. At such meeting, the council shall review all applications filed in accordance with this article for the position of school trustee, and the council may elect to interview candidates for such position.~~

~~§ 9-20. Selection of candidates for public interview.~~

~~— On or before April 20 of each year, the council shall, by public vote, select from the field of candidates those candidates to be accorded the public interview required by section 9-21, and all other candidates shall be eliminated from the school trustee selection process. The number of candidates to be granted the interview required by section 9-21 shall not exceed three (3) times the number of positions available on the school board, should there be so many candidates.~~

~~§ 9-20.1. Public hearing before appointment of school board members.~~

~~— Prior to the public interview of candidates for school trustee required by section 9-21 and prior to April thirtieth, city council shall hold a public hearing to receive the views of citizens. Public notice of such hearing shall be given at least ten (10) days prior to the hearing by publication in a newspaper of general circulation in this city. No applicant shall be appointed to the school board unless such applicant's name has been considered at a public hearing.~~

~~§ 9-21. Public interview of candidates.~~

~~(a) — On or before April 30 of each year, the council shall hold a meeting for the purpose of conducting a public interview of the remaining~~

~~candidates for the position of school trustee. Public notice of such meeting shall be published once in a newspaper of general circulation in this city at least ten (10) days prior to the date of such meeting. Such notice shall advise the public of the right to submit proposed questions to the remaining candidates by filing written questions in the office of the city clerk at least five (5) working days prior to the meeting at which the public interview required by this section will be held. Each of the final candidates for the position of school trustee shall be notified of the date, time and place for such public interview by the city clerk.~~

~~(b) At such meeting held for the purpose of conducting public interviews, the council shall publicly interview each remaining candidate separately and out of the presence and hearing of other candidates. The interview of candidates shall take place in the order deemed appropriate by city council. Each candidate shall be given the opportunity to make an opening statement of not more than five (5) minutes in length. Thereafter, the council may ask such questions, including written questions filed in the office of the city clerk at least five (5) working days prior to the public interview, as the council, in its discretion, deems advisable.~~

~~Sec. 9-22. Election.~~

~~Subsequent to the public interview required by section 9-21, and on or before May 15 of each year, the council shall hold an election, at a regular or special session of the council, to fill the vacancies on the school board.~~

~~Sec. 9-23. Article not applicable to filling of vacancies not caused by ordinary expiration of term; public hearing exception.~~

~~In case of a vacancy on the school board, other than through the ordinary expiration of a term, the council shall fill the vacancy for the unexpired portion of the term through the procedure established by section 2-281 of this Code, and the selection procedure established by this article shall have no applicability; provided, however, that prior to the filling of a vacancy on the school board created by other than the ordinary expiration of a term, city council shall, at least seven (7) days prior to the appointment, hold a public hearing to receive the views of citizens. At least ten (10) days prior to any such hearing, public notice shall be given by publication in a newspaper of general circulation in the city. Before any person is appointed to the school board, the individual's name shall be considered at a public hearing.~~

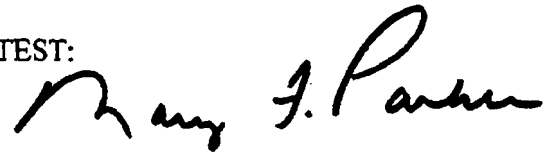
~~§9-24. Filling of vacancies on School Board.~~

~~City council shall, at least seven (7) days prior to the appointment of any school board trustee, hold one or more public hearings to receive the views of~~

*citizens. At least ten (10) days prior to any such hearing, public notice shall be given by publication in a newspaper of general circulation in the city. Before any person is appointed to the school board, the individual's name shall be considered at a public hearing.*

2. Pursuant to §12 of the Roanoke Charter, the second reading by title paragraph of this ordinance is hereby dispensed with.

ATTEST:

A handwritten signature in black ink, appearing to read "Mary J. Parker". The signature is written in a cursive style with a large initial "M".

City Clerk.

### **§ 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.

(Code 1950, §§ 22-72, 22-97; 1954, cc. 289, 291; 1956, Ex. Sess., c. 60; 1959, Ex. Sess., c. 79, § 1; 1966, c. 691; 1968, c. 501; 1970, c. 71; 1971, Ex. Sess., c. 161; 1972, c. 511; 1975, cc. 308, 328; 1980, c. 559; 1985, c. 8; 1987, c. 402; 1991, cc. 553, 668; 1994, c. 596; 1996, cc. 485, 790, 798; 1997, c. 382; 2004, c. 563; 2006, cc. 857, 914; 2009, c. 459.)

## **School Board Overview**

Article VIII, Section 7, of the Constitution of Virginia establishes the legal basis for local school boards by providing 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." In the City of Roanoke, School Board members are appointed by City Council for a three-year term of office. The terms of the seven-member Board are staggered, and no more than three Board seats are appointed each year. Board members may apply for reappointment to the Board and serve a maximum of three three-year terms.

## **School Board Duties and Responsibilities**

The School Board shall:

- Provide a program of quality instruction.
- Manage and direct the school system through the employment and evaluation of the superintendent, establishment of policy, and monitoring of budget, bond elections, fiscal accounting, tax and debt management, and plant construction and renovation.
- Guide the school system through the adoption of policies related to fiscal management, facilities development, personnel, instruction, students, and school/community/education agency relations.
- Enhance communications between community and staff by ensuring the public understands school system goals and programs; secure public support for the schools; promote the public's presence in the schools; establish effective communications with staff; encourage citizen attendance at Board meetings; and ensure response to public concerns.

For additional information go to: [www.roanokeva.gov/schools/schoolboard](http://www.roanokeva.gov/schools/schoolboard)