

SCHOOL BOARD BYLAWS

Powers and Duties (continued)

The Lynchburg City School Board controls all aspects of the school division's operations within the limits of the law. No section of the school board's bylaws and school board policies may be construed to limit the statutory powers of the board to exercise its own prudent judgment. The school board shall be the final authority.

Legal Reference:

Code of Va., § 22.1-78. Bylaws and Regulations. --"A school board may adopt bylaws and regulations, not inconsistent with state statutes and regulations of the Board of Education, for its own government, for the management of its official business and for the supervision of schools, including but not limited to the proper discipline of students, including their conduct going to and returning from school."(1980)

Code of Va., §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, and equipping of necessary school buildings and appurtenances and the maintenance thereof;
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 of all school board employees, except the division superintendent and those employees covered under the provision 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 eighteen 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, suspension, or other disciplinary actions 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;

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Powers and Duties (continued)

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

8. Obtain public comment through a public hearing not less than ten 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 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 fifteen 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. (1997)

Code of Va., §22.1-127. Condemnation of land for school purposes; right of entry; location of school outside boundaries of school division.--"A school board shall have the power to exercise the right of eminent domain and may condemn land or other property or any interest or estate therein, including dwellings, yards, gardens or orchards, necessary for public school purposes pursuant to the provisions of Chapter 1.1 (§ 25-46.1 et seq.) of Title 25 and in the manner provided by law for the Commonwealth Transportation Commissioner in Article 7 (§ 33.1-89 et seq.) of Chapter 1 of Title 33.1. To determine the suitability of the land for school purposes, a school board shall have the same right of entry under the same conditions as a county, city, or town pursuant to § 25-232.1. A school board shall have no authority to locate any school which was not begun prior to January 1, 1978, on property outside the boundaries of the school division unless the school board first obtains the approval of the governing body of the county, city or town in which a proposed school will be located." (1994)

Virginia Board of Education Regulations, "Governing Local School Boards." (January, 1991)

Adopted by School Board: June 5, 1973