



# VIRGINIA BOARD OF EDUCATION

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# AGENDA ITEM

**Agenda Item:** D

**Date:** January 25, 2024

**Title:** First and Final Review of Revised Term Limits for the Early Childhood Advisory Committee (ECAC)

**Presenter:** Jenna Conway, Deputy Superintendent of Early Childhood Care and Education

**Purpose of Presentation:**

Review/action required by Board of Education bylaws (i.e., advisory committee term limits).

**Executive Summary:**

Pursuant to § [22.1-289.04](#), the Board established the Early Childhood Advisory Committee (“ECAC”) to advise the Board on programs, systems, and regulations. The ECAC comprises twenty-two representatives from geographically diverse areas across the early childhood care and education sector. The Board establishes bylaws for the ECAC, including defining term length and limits for members of the ECAC.

According to Article Fifteen, Section 4, of the Board Bylaws, advisory committee term limits are set for three years. Upon expiration of the term limit, members can be re-appointed but cannot serve more than two consecutive terms. Under the current policy, all twenty-two positions are set to expire simultaneously, which will present challenges. As a solution, the Superintendent of Public Instruction recommends the Board revise ECAC term limit to policy to a staggered term limit policy.

**Action Requested:**

First review. Action requested at the March 28 meeting.

**Superintendent’s Recommendation**

The Superintendent of Public Instruction recommends that the Board of Education receive for First Review of the following recommendation:

- Revise ECAC term limits to a staggered term limit policy to address the current challenges of the policy.

- Under the proposed policy, the advertisement of ECAC positions will be staggered into three phases over the next three years. This would mean:
  - Phase 1: July 1, 2024 – June 30, 2027
  - Phase 2: July 1, 2025 – June 30, 2028
  - Phase 3: July 1, 2026 – June 20, 2029
- Advertise seven to eight positions in each phase.

**Previous Review or Action:**

No previous review or action.

**Background Information and Statutory Authority:**

Section [22.1-289.04](#) of the Code of Virginia permits the Board of Education to establish bylaws for such advisory committee that include term length and limits for members. ECAC term limits are set for three years, from February 2021 to June 2024, to coincide with other Committee terms. Upon expiration of the term limit, members can be re-appointed but cannot serve more than two consecutive terms. Under the current policy, all twenty-two positions are set to expire simultaneously, which could impact the ECAC’s ability to conduct business through the simultaneous loss of institutional knowledge and ability to generate a quorum. Additionally, the VDOE would be in the position of having to recruit twenty-two positions simultaneously every three years.

VDOE proposes staggering ECAC term limits going forward. Under the proposed structure, ECAC positions would be advertised in three phases over the next three years:

- Phase 1: July 1, 2024 – June 30, 2027
- Phase 2: July 1, 2025 – June 30, 2028
- Phase 3: July 1, 2026 – June 20, 2029

During each phase, seven to eight positions would be advertised. Members currently holding positions not advertised in a given year would remain in their position without re-applying until the position is advertised during its assigned phase. Positions were randomly selected for each phase while ensuring that categories with multiple representatives are never advertised at the same time, and current members were engaged in the process to assess willingness to serve extended terms beyond the current expiration date of June 30, 2024.

Staggering term limits will benefit VDOE, the Committee, and the Board by:

- Ensuring membership represents geographically diverse areas across the Early Childhood Care and Education sector;
- Ensuring the Committee is able to establish a quorum to conduct business using Robert’s Rules of Order;
- Streamlining ECAC vacancies announcement to increase outreach to the filed and nominations submitted to the Board; and

- Decreasing the length of time a position is vacant.

**Timetable for Further Review/Action:**

Recommend final review and action requested during at the March 28 meeting.

**Impact on Fiscal and Human Resources:**

No fiscal or staff impact are anticipated.