

1 **BYLAWS OF THE VIRGINIA BOARD OF EDUCATION**

2  
3 Adopted June 22, 2000  
4 Amended October 19, 2000  
5 Amended October 22, 2001  
6 Amended September 22, 2004  
7 Amended February 25, 2016  
8 Amended October 20, 2022  
9 Proposed Amendments as of September 26, 2024

10  
11 In accordance with § 22.1-16 of the *Code of Virginia*, the Virginia Board of Education (the “Board”)  
12 hereby adopts the following bylaws, effective as of the date and authorized signature below, for its own  
13 governance to carry out its powers and duties.

14 **ARTICLE ONE: PURPOSE**

15  
16  
17 In accordance with Article VIII, § 4, of the Constitution of Virginia, the general supervision of the public  
18 school system in the Commonwealth of Virginia shall be vested in the Board of Education.

19  
20 The mission of the Board of Education, in cooperation with its partners, is to develop policies and  
21 provide leadership that improve student achievement and prepare students to succeed in  
22 postsecondary education and the workplace, and to become engaged and enlightened citizens.

23 **ARTICLE TWO: OFFICERS**

24  
25  
26 **Section 1. President.** The President of the Board shall be elected by a majority of the Board members.  
27 The President shall be elected from the Board membership for a term of two years. The President may  
28 serve successive terms. The election of the President shall be by a recorded vote.

29  
30 The President shall preside over meetings of the Board, and shall have all powers and duties as  
31 necessary to fulfill the role of chief executive of the Board and its presiding officer and as may be, from  
32 time to time, conferred or prescribed by the Board. The President shall exercise supervision and  
33 direction over the Board's goals and affairs and discharge all duties generally pertaining to such office as  
34 the executive head of an organization of this character, subject to the control of the Board members.  
35 The President shall appoint members of the Board to serve on standing committees and appoint special  
36 committees with non-Board members as deemed necessary.

37  
38 **Section 2. Vice President.** The Vice President of the Board shall be elected by a majority of the Board  
39 members. The Vice President shall be elected from the Board membership for a term of two years. The  
40 Vice President may serve successive terms. The election of the Vice President shall be by a recorded  
41 vote.

42  
43 The Vice President shall have such powers and perform such duties as may from time to time be  
44 conferred or prescribed by the Board. In the absence of the President, the Vice President shall discharge  
45 all such executive duties of the office of President. If a vacancy occurs in the office of the President, the  
46 Vice President shall assume the role of Interim President, until an election of officers takes place at the  
47 first regular Board meeting after the vacancy occurs.

48  
49 **Section 3. Secretary.** In accordance with § 22.1-23 of the *Code of Virginia*, the Superintendent of Public  
50 Instruction shall serve as Secretary of the Board and shall perform such other duties as the Board may

51 prescribe. The Secretary shall attend all meetings of the Board and record all votes and the proceedings  
52 of the meetings and the Office of Board Relations shall perform like duties for any standing committees.  
53 The Secretary shall give notice of all meetings of the Board in accordance with § 2.2-3707 of the *Code of*  
54 *Virginia*, and shall perform such other duties as may from time to time be prescribed by the Board or the  
55 President, under whose supervision the Secretary shall act.

56  
57 **Section 4. Other Officers.** Additional officers, in the discretion of the Board, may be elected from time to  
58 time to perform such duties and undertake functions designated by the Board. Such additional officers  
59 shall be elected by a majority of the Board members.

60  
61 **Section 5. Election of Officers.** The term of office for officers shall end upon the end of a member's  
62 appointment or resignation from the Board. Following the conclusion of the term of any officer  
63 approved by the Board, or in the case of a vacancy, the election of officers shall take place at the next  
64 regular Board meeting. If a vacancy occurs prior to the conclusion of the regular term of office of an  
65 officer, the election to fill that vacancy may take place at the current Board meeting, but no later than  
66 the next regular Board meeting. The election of officers shall be held at the last regularly scheduled  
67 meeting of the fiscal year; if such meeting fails for lack of a quorum, the elections shall be held at the  
68 next meeting of the Board. Newly elected officers shall assume office on July 1, except officers elected  
69 to fill a vacancy. Any officer elected to fill a vacant office shall hold office for the remainder of the  
70 original term of the office. Such partial term shall not be counted in the successive terms for which a  
71 member is eligible to serve as an officer.

## 72 73 **ARTICLE THREE: MEETINGS**

74  
75 **Section 1. Regular Meetings.** Prior to January of the applicable calendar year, the Board shall adopt a  
76 tentative schedule for regular meetings for the calendar year. Such schedule shall note the term of  
77 office for the Boards' officers and when any elections will occur. Such schedule shall be subject to the  
78 change, alteration, or adjustment by the President of the Board as the President deems appropriate to  
79 accommodate the operation of the Board.

80  
81 **Section 2. Special Meetings.** The President, at the President's sole discretion, may call a special meeting  
82 of Board members. Five or more members of the Board may also call a special meeting by sending a  
83 written request to the President, the Secretary, and the Director of Board Relations.

84  
85 **Section 3. Standing Committee Meetings.** The President or the Chair of the standing committee may  
86 call a meeting of a Board's standing committee.

87  
88 **Section 4. Attendance at Meetings.** Board members are expected to attend all regular meetings, special  
89 meetings, emergency, and standing committee meetings for which they are a member. Any Board  
90 member unable to attend a meeting shall promptly notify the President, the Secretary, and the Director  
91 of Board Relations.

92  
93 **Section 5. Place of Meetings.** Meetings of the Board shall ordinarily be held at the office of the  
94 Superintendent of Public Instruction. The Board may hold meetings at such other place or places, for any  
95 time period, within the Commonwealth of Virginia, as designated in advance by the Board or the  
96 President, or in the absence of the President, by the Vice President.

97  
98 **Section 6. Continued Meetings.** Any duly called meeting of the Board may be recessed to a later time

99 and place, determined by the Board members present, regardless of whether such members constitute  
100 a quorum for transaction of business, provided that such time and place are announced at the meeting.  
101

102 **Section 7. Voting Proxies.** At meetings of the Board, all members present shall be entitled to exercise  
103 voting rights on all matters. Members not present at a meeting shall not be entitled to vote, except as  
104 provided in by state law and the Board’s policies regarding remote participation.  
105

106 **Section 8. Notices of Meetings.** Written notice stating the date, time, and location of any regular  
107 meeting of the Board shall be given to each Board member not less than seven calendar days before the  
108 date of the meeting by or at the direction of the President, or the Secretary, or the persons calling the  
109 meeting. Notice of special, emergency, or continued meetings will be given to each Board members as  
110 soon as practicable. A notice shall be deemed duly given to a Board member when it is: (1) adopted by  
111 the Board as part of its tentative regular meeting schedule and is not subsequently changed or altered in  
112 accordance with Article Three, Section 1, or (2) when it is sent via e-mail, fax, or postal mail to the  
113 address on record for the Board member.  
114

115 **Section 9. Voting and Quorum.** Each member of the Board shall be entitled to one vote with respect to  
116 each matter voted on by the Board. Except as expressly provided otherwise in these bylaws, the vote of  
117 a majority of the Board members present at any meeting for which there is a quorum shall be the act of  
118 the Board.  
119

120 **Section 10. Personal Interest.** Board members shall read and familiarize themselves with the provisions  
121 of the State and Local Government Conflict of Interests Act (§2.2-3100 et seq. of the *Code of Virginia*),  
122 and comply with its directives regarding disclosure, participation, or recusal.  
123

#### 124 **ARTICLE FOUR: CLOSED MEETINGS**

125  
126 The Board may decide to go into a closed meeting at any of its meetings in accordance with the laws of  
127 the Commonwealth of Virginia.  
128

#### 129 **ARTICLE FIVE: ACTIONS OF THE BOARD**

130  
131 All actions adopted by the Board shall be signed by the President and shall remain in effect until they  
132 expire by their own terms, or are repealed, amended, or otherwise suspended by subsequent action.  
133 The Secretary shall maintain an appropriate record of all Board actions in effect and make such record  
134 available to the Board and the public upon request.  
135

#### 136 **ARTICLE SIX: AGENDA FOR MEETINGS**

137  
138 The Board will have a published agenda for all public meetings.  
139

140 The Superintendent of Public Instruction will create a draft agenda. Final decision on the placement of  
141 items and final approval of the draft agenda will be made by the President.  
142

143 Items may be added to the agenda by a majority vote of the Board.  
144  
145  
146

147 **ARTICLE SEVEN: CONSENT AGENDA/BOARD REVIEW PROCEDURES**

148  
149 **Section 1. Consent Agenda.** The President or presiding officer may place any item on the consent  
150 agenda for the applicable Board meeting. Items may also be placed on the consent agenda by majority  
151 vote of the Board. The consent agenda shall be adopted by a majority vote of the Board. Any item may  
152 be removed from the consent agenda by any Board member wishing to have it placed on the regular  
153 Board meeting agenda.

154  
155 **Section 2. Action on Items.** Items that are not placed on the consent agenda but which require the  
156 Board’s action are ordinarily reviewed by the Board during two separate meetings when possible. The  
157 Board can choose to waive first review. Such review shall consist of at least a first review and a final  
158 review. Action may be taken on an item when it is brought to the Board for final review. The Board may  
159 waive the requirement for two separate reviews of any agenda item by majority vote.

160  
161 **Section 3. Board Material.** The materials for each item requiring Board action must be provided to all  
162 members not less than seven calendar days before the meeting in which first review has been  
163 scheduled. The Board may waive this requirement for advance receipt of materials only by unanimous  
164 vote of the Board members present.

165  
166 The proposed agenda, as well as materials for voting items, shall be provided to the public at least seven  
167 calendar days prior to the meeting, except for items for which the Board has waived the requirement of  
168 advance receipt.

169  
170 **ARTICLE EIGHT: COMMITTEES**

171  
172 **Section 1. Standing and Special Committees.** The Board may create standing committees composed of  
173 Board members and non-Board members, as it shall deem appropriate, and impose upon such  
174 committee or committees such functions and duties, and grant such rights, powers, and authority as the  
175 Board shall prescribe. The President shall appoint all members to serve on standing committees.

176  
177 Special committees of the Board may be established and members appointed by the President for  
178 specific assignments. All special committees shall report their findings and recommendations to the  
179 Board. All special committees shall dissolve upon the completion of their stated assignment or by act of  
180 the Board.

181  
182 **Section 2. Advisory Committees.** Advisory committees may be created by the Board for special  
183 purposes, including federal and state-mandated committees. Personnel of the Department of Education  
184 may be appointed to the committee as members or as consultants. Unless otherwise prescribed by state  
185 or federal law or regulations, all appointments to an advisory committee shall be made by the Board  
186 upon the recommendations of the Superintendent of Public Instruction.

187  
188 Each committee shall be instructed as follows:

- 189  
190 1. The length of time each member is being asked to serve;  
191 2. The service the Board wishes the committee to render and the extent and limitations of its  
192 responsibilities;  
193 3. The resources the Board will provide;  
194 4. The approximate dates on which the Board wishes to receive reports; and

195 5. The responsibilities for the release of information.

196  
197 The Board possesses legal powers and prerogatives that cannot be delegated or surrendered to others;  
198 therefore, all recommendations of an advisory committee must be submitted to the Board for action.  
199 The Board may dissolve a committee at any time and a committee shall be deemed dissolved if it has  
200 conducted no business for 12 consecutive months, unless the advisory committee is required by laws or  
201 regulations. The President, at the President’s discretion, may reconstitute a committee that has been  
202 dissolved.

203  
204 Advisory committees to the Board of Education shall be established and operate in accordance with the  
205 procedures specified herein under Article Thirteen.

206  
207 **ARTICLE NINE: PUBLIC PARTICIPATION**

208  
209 Members of the public are encouraged to attend all Board meetings, except closed meetings as defined  
210 by the Freedom of Information Act and may record the proceedings in writing or by using a recording  
211 device.

212  
213 The Board will provide an opportunity for members of the public to address the Board at its meetings, as  
214 appropriate, during the public comment portion of the meeting.

215  
216 At its regular meetings, members of the public may address the Board during the public comment  
217 portion of the meeting on any matter related to public education which includes the actions of the  
218 Board. During the public comment portion of any committee that the Board deems appropriate or any  
219 advisory committee of the Board, the Board requests that members of the public only address the  
220 committee on matters on the committee’s published agenda and any matters added to the agenda  
221 during the meeting by the committee. At special or emergency meetings, any public comment shall be  
222 limited to items on the agenda.

223  
224 Requests to address the Board or one of its committees during the public comment portion of the  
225 meeting should be submitted to the Department of Education in advance of the meeting, but may be  
226 submitted the day of the meeting, to be honored at the discretion of the person presiding at such  
227 meeting. The request shall include the name of the speaker, the subject to be discussed, and the  
228 speaker’s county, city, or town of residence. In honoring such requests, the Board will limit such  
229 comments to three minutes for each speaker at the discretion of the person presiding at such meeting.

230  
231 The person presiding at such meeting may extend the public comment portion of the meeting, allocate  
232 the time available for public comment, adjust the order of speakers, or take other reasonable measures  
233 to ensure that the Board hears multiple views on any matter presented to the Board.

234  
235 Public comment speakers will be encouraged to provide multiple written copies of their comments or  
236 other materials amplifying their views.

237  
238 **ARTICLE TEN: BOARD OPERATIONS**

239  
240 **Section 1. Contracts.** The President and Secretary of the Board shall sign all contracts and agreements  
241 entered into by the Board unless the Board delegates to a specific person other than these two officers.  
242

243 **Section 2. Compensation and Expenses.** Members of the Board may receive a per diem, or portion  
244 thereof, in an amount set by the General Assembly, while attending regular and special meetings of the  
245 Board or while participating in Board-related activities pursuant to § 2.2-2813 of the *Code of Virginia*.  
246 The members of the Board may receive reimbursement for reasonable expenses incurred while  
247 attending meetings of the Board or any committee thereof, or in performing duties as a member of the  
248 Board, in accordance with applicable state laws and regulations. Board members are encouraged to  
249 attend at least one regional or national meeting per year related to the responsibilities of the Board of  
250 Education. Reimbursement may be available for expenses to attend such meetings at the discretion of  
251 the Secretary.

## 252 **ARTICLE ELEVEN: AMENDMENTS**

253  
254  
255 These bylaws may be altered, amended, or repealed only by a vote of at least seven members of the  
256 Board after a first and final review has been completed in two separate meetings. The requirement for a  
257 first and final review at two separate meetings may not be waived by the Board, unless such waiver is  
258 approved by every member of the Board.

## 259 **ARTICLE TWELVE: MISCELLANEOUS**

260  
261  
262 **Section 1. Addresses.** The addresses and/or telephone numbers used for any notice given under the  
263 bylaws shall be those appearing on the books of the Board, and it shall be the individual member's  
264 responsibility to ensure that the Secretary has the correct address and telephone number.

265  
266 **Section 2. Robert's Rules.** Except as otherwise stated herein, all meetings of the Board shall be governed  
267 by the current edition of Robert's Rules of Order.

268  
269 **Section 3. Construction.** A word used in the singular includes the plural and a word used in the plural  
270 includes the singular, as the context may require.

271  
272 **Section 4. Repeal of All Previous Acts.** All previous enactments of the Board's bylaws prior to the date  
273 set forth below are hereby repealed and declared null and void.

274  
275 **Section 5. Copy to All Members.** The Board hereby directs the Secretary to provide all Board members  
276 with a current copy of these bylaws and all amendments thereto.

## 277 **ARTICLE THIRTEEN: OPERATIONS OF COMMITTEES OF THE BOARD**

278  
279  
280 **Section 1. Purpose.** For any advisory committee established under Article Eight, the Board shall specify  
281 the purpose of the advisory committee, any specific studies or assignments requested of the advisory  
282 committee, and shall specify the extent and limitations of the committee's responsibilities. Such  
283 purpose shall be in accordance with the Board of Education bylaws and any applicable laws or  
284 regulations.

285  
286 Advisory committees shall act within the scope of authority specified by the Board. All advisory  
287 committee members acknowledge, by virtue of their service on the advisory committee, that their  
288 authority with respect to work of the advisory committee is limited to the matters assigned to it by the  
289 Board and by applicable laws and regulations. The advisory committee shall report back to the Board on  
290 its findings and recommendations of those topics and issues identified by the Board for its review within

291 the timeframe requested by the Board.

292

293 Each advisory committee shall make an annual report to the Board of Education. The annual report shall  
294 include the findings and recommendations of those issues and topics identified by the Board for  
295 deliberation by the committees, or an update on the advisory committee’s progress.

296

297 **Section 2. Operating Procedures.** The operating procedures outlined in this article shall govern the  
298 proceedings of all advisory committees, unless otherwise provided in laws or regulations. All  
299 proceedings of advisory committee meetings shall be as prescribed by Robert’s Rules of Order.

300

301 The Superintendent of Public Instruction shall determine the staff and funding resources needed to  
302 conduct the business of advisory committees.

303

304 **Section 3. Membership.** The Board shall determine the number of members to serve on an advisory  
305 committee and shall appoint the members of the committee, as specified in Article Eight, Section 2, of  
306 these bylaws, except as otherwise required by law or regulations. Nominations for all vacant positions  
307 will be solicited as widely as practicable and on forms provided by the Virginia Department of Education.

308

309 Members of advisory committees shall not receive compensation for their service but may be  
310 reimbursed for travel expenses in accordance with state travel guidelines set forth by the Department of  
311 Accounts.

312

313 The Board, at its discretion, may appoint a member of the Board to serve as a liaison to the advisory  
314 committee.

315

316 **Section 4. Term of Service.** Appointments to an advisory committee shall be for a term of three years.  
317 Members of an advisory committee may be re-appointed, with no member serving more than two  
318 consecutive three-year terms. Any vacancies shall be filled by the Board.

319

320 **Section 5. Advisory Committee Chair.** The role of the committee chair is to conduct the meetings. The  
321 initial chair of an advisory committee shall be appointed by the President of the Board or, at the  
322 President’s discretion, co-chairs may be appointed. Thereafter, upon any expiration of term or vacancy  
323 of such positions, the chair or co-chairs shall be elected by the advisory committee according to Robert’s  
324 Rules of Order. No co-chair may act on any matter pertaining to this joint office without the consent of  
325 the other co-chair. The chair shall have individual voting rights on all matters before the advisory  
326 committee and shall be responsible to present the findings and recommendations of the advisory  
327 committee at least annually and at other times requested by the Board. The committee may elect a vice  
328 chair, in accordance with Robert’s Rules of Order, who presides if the chair is unable to attend the  
329 meeting.

330

331 **Section 6. Meetings.** All meetings of an advisory committee shall be held in a location and in a facility  
332 that is accessible to the public, as provided by the Freedom of Information Act. The Department of  
333 Education shall give notice of all meetings of the Board’s advisory committees in accordance with the  
334 *Code of Virginia*.

335

336 There shall be a published agenda for all meetings set by committee chair or co-chairs, with the  
337 assistance of Department of Education staff and with the Board liaison to the committee, if applicable.

338

339 The vote of a majority of the advisory committee members present at any meeting at which a quorum is  
340 present shall be the act of the advisory committee. Each member of an advisory committee shall be  
341 entitled to one vote with respect to any matter voted on by the advisory committee. Members not  
342 present at a meeting shall not be entitled to vote.

343

344 Advisory committee members shall read and familiarize themselves with the provisions of the State and  
345 Local Government Conflict of Interests Act, and comply with its directives regarding disclosure,  
346 participation, or recusal.

347

348

349

350

351

352

353 The undersigned, being the duly elected President of the Virginia Board of Education, hereby certifies  
354 that the foregoing bylaws were duly adopted by its members as of the date and signature below.

355

356 Adopted in the Minutes of the Virginia Board of Education:

357 June 22, 2000

358 Amended October 19, 2000

359 Amended October 22, 2001

360 Amended September 22, 2004

361 Amended February 25, 2016, Dr. Billy K. Cannaday, Jr., President

362 Amended October 20, 2022, Daniel A. Gecker, President

363 Amended September 26, 2024, Grace Turner Creasey, President