I. Approval of Minutes. The Committee reviewed minutes for the meeting held on September 5th. The minutes were approved 2-0-0-1 (Huck absent) with no revisions or additions. The Committee also reviewed minutes for the special meeting held on September 26th. The special minutes were approved 2-0-0-1 (Huck absent) with no revisions or additions.

II. Public Comment. None

III. 2018 Legislative Program. Dr. Richards introduced consultants and reviewed progress made so far on the staff’s proposed recommendations for the revised 2018 Legislative Program (document can be found here) as follows:

- Priority Position 1 (lines 2-8) – This position was previously unanimously voted on by the committee.
- Priority Position 2 (lines 11-14) – Staff is in the process of gathering more information on this position and will bring back a recommendation to Committee on October 11th.
- Priority Position 3 (lines 17-19) – Staff provided the Committee with specific unfunded mandates (document can be found here). Staff will bring more information back to the Committee on October 11th.
- Priority Position 4 (line 23-24) – Staff revised language was added and will bring back further justification to the Committee on October 11th.
- Priority Position 5 (lines 27-37) – Staff revised their earlier recommendation to omit. Revised language was presented to the Committee. Further justification will be provided to the Committee on October 11th.
- Relating to Local School Board Authority Position 1 (lines 42-43) – Staff recommends to keep this position. L&P Committee Vote: 3-0
- Relating to Local School Board Authority Position 2 (lines 47-49) – The Committee requested further information and research from the Legislative Consultants (“LC”):
  - Check with Senator Black to see where it got hung up at the General Assembly last year and speak with other pertinent contacts.
  - Review an existing Attorney General Opinion letter from Mr. Cuccinelli addressing a similar request from Prince William County (Division Counsel to provide to LC).
  - Review another Attorney General Opinion letter from Mr. Herring dealing with the expansive power of the school board under the Constitution (Division Counsel to provide to LC).
- Relating to Local School Board Authority Position 3 (lines 52-54) – Division Counsel provided the rationale for a request to delete code section 22.1-82(C) stating that it may be antiquated and conflicting with other statutes and more geared to past “appointed school boards”. The Committee requested further information and research from LC:
  - LC suggested that this may not be a conflict of statutes but rather a limitation on the general authority to sue and be sued.
  - VML and VACO may take a different position on this matter. LC will make contact with them to try to get them to stand-down on the matter.
  - LC will also contact VASS and VSBA.
L&P Committee Vote: 3-0 (to retain the position).
• Relating to Local School Board Authority Position 4 (lines 57-60) – Division Counsel provided the rationale for this position. The Committee requested further information and research from LC:
  o Not just a School Board issue, this issue plays broadly in property rights, state bar associations, home builders, realtors, etc.
  o Review the Opinion in the matter of Oliver, et al. v. LCSB to be provided by Division Counsel.
• Funding Position 1 (lines 65-66) – This position was previously unanimously voted on by the committee.
• Funding Position 2 (lines 69-75) – This position was previously unanimously voted on by the committee.
• Funding Position 3 (lines 78-84) – Dr. Richards spoke with Tom Smith of VASS at the VSBA Conference last week and they have similar positions in their program. The LC suggested:
  o That we separate the SOA and SOQ issues.
    ▪ SOA – tie this issue to our justification for the School Divisions of Innovation position that was passed to give more flexibility; and
    ▪ SOQ – more funding.
  o Staff will reword and bring back to Committee on October 11th.
• Specific Legislation Position 1 (lines 89-91) – This position was previously unanimously voted on by the committee.
• Specific Legislation Position 2 (lines 94-96) – This position was previously unanimously voted on by the committee.
• Specific Legislation Position 3 (lines 99-105) – New position requested by the Committee to allow immediate family members of sitting school board members to be hired by the school division. Division Counsel provided the rationale to either delete the requirements of code section 2.2-3119 or to add Planning District 8 to the existing statutory exception that currently exists. The Committee requested information from LC:
  o LC stated that it would be much easier to add Planning District 8 to the exceptions rather than repeal the entire statute.
  o LC will contact the other school divisions in Planning District 8 to gather their feedback.
**L&P Committee Vote: 3-0**
• Specific Legislation Position 4 (lines 108-114) – New position requested by the Committee on the Conflicts of Interests disclosure requirements. Division Counsel provided the rationale for this position. The Committee requested further information and research from LC:
  o Review the recent Office of the Commonwealth’s Attorney City of Alexandria’s Opinion interpreting COIA (Division Counsel to provide to LC).
  o Change the language of “spouse” and “relatives” to “immediate family members”.
**L&P Committee Vote: 3-0**

**ACTION:** Actions by the Committee appear in **bold** above. Further work on the Legislative Program and the VSBA positions will occur at the next special Committee meeting scheduled on October 11, 2017.

**IV. Adjourn.** The meeting was adjourned at 10:00 a.m.