

enter upon the premises of any public school, or in the vicinity thereof, for the purpose of policing its operation, or to prevent acts of violence or alleged acts of violence, the school shall thereupon automatically be closed and its operation suspended.

3. Upon the closing of any public school pursuant to this Act, the Governor shall assume all control and exercise all authority with respect to such school, its operating personnel and pupils, including the powers vested in the Governor under the provisions of Sections 22-188.8, 22-188.9 and 22-188.10 of the Code. The duly constituted authorities of the locality formerly having control of such closed school are vested with those powers granted such authorities by Section 22-188.9, and other applicable sections of the Code, in so far as payment of tuition grants are concerned. During the period of time a school is closed under this Act, the provisions of Section 22-188.14 of the Code shall be applicable to teachers and other personnel affected thereby.

4. During the period of time any public school is closed pursuant to this Act, the powers and duties of the local school board, the division

superintendent, the Superintendent of Public Instruction, the State Board of Education and the Pupil Placement Board, as the same are prescribed by statute, with respect to the control and operation of such school shall be suspended and divested, and all such powers, during such period of time, shall be vested in and exercised by the Governor. Nothing herein contained shall be construed as impairing the power of the local school board with respect to the sale or exchange of property as provided by Section 22-161 of the Code.

5. Whenever it is made to appear to the Governor that any public school which has been closed under the provisions of this Act can be reopened and operated without the existence of any of the conditions contained in Section 2 of this Act, the Governor shall, by executive order, restore the powers divested under Section 4 of this Act and return the operation, control and maintenance of such school to the local school board of the political subdivision in which it is located.

6. An emergency exists, and this Act shall be in force from its passage.

EDUCATION

Public Schools—Virginia

Chapter 319 of the acts of the 1958 Virginia General Assembly, approved by the governor March 13, 1958, extends the provisions of Chapter 41, above, to other schools in the same district.

An Act to establish the policy of the Commonwealth of Virginia with respect to the operation of the public free schools when the peace and tranquility of the school division is disturbed or the orderly administration of the educational process is disturbed by reason of the existence of certain conditions; to provide for the closing of such schools; to vest and confer certain powers in the Governor; and to provide the conditions for return of such schools to the local authorities.

Be it enacted by the General Assembly of Virginia:

1. § 1. (a) If the entry upon the premises of any public free school, or the vicinity thereof, by military forces or other personnel under federal authority, or (b) the closing of any such public school as a result thereof, should in the opinion of the Governor, cause the peace and tranquility of the school division in which any such school is located to be disturbed, or should cause the orderly administration of the educational process to be disrupted or disturbed in any other school or schools located in the same school division, the Governor is hereby authorized and empowered, in his discretion, to close any other such

school or schools located in the same school division, irrespective of whether or not such other school, or schools, so located are being policed by any Federal authority. The operation and supervision of the public schools is a right inherent in and subject only to the laws of this Commonwealth and her sovereignty and dignity in this respect shall not be abrogated.

§ 2. Upon the closing of any public school pursuant to this act, the Governor shall assume all control and exercise all authority with respect to such school, its operating personnel and pupils, including the powers vested in the Governor under the provisions of §§ 22-188.8, 22-188.9 and 22-188.10 of the Code. The duly constituted authorities of the locality formerly having control of such closed school are vested with those powers granted such authorities by § 22-188.9, and other applicable sections of the Code, in so far as payment of tuition grants are concerned. During the period of time a school is closed under this act, the provisions of § 22-188.14 of the Code shall be applicable to teachers and other personnel affected thereby.

§ 3. During the period of time any public school is closed pursuant to this act, the powers

and duties of the local school board, the division superintendent, the superintendent of public instruction, the State Board of Education and the Pupil Placement Board, as the same are prescribed by statute, with respect to the control and operation of such school shall be suspended and divested, and all such powers, during such period of time, shall be vested in and exercised by the Governor. Nothing herein contained shall be construed as impairing the power of the local school board with respect to the sale or exchange of property as provided by § 22-161 of the Code.

§ 4. Whenever it is made to appear to the Governor that any public school which has been closed under the provisions of this act can be reopened and operated without the existence of any of the conditions contained in § 1 of this act, the Governor shall, by executive order, restore the powers divested under § 3 of this act and return the operation, control and maintenance of such school to the local school board of the political subdivision in which it is located.

2. An emergency exists and this act is in force from its passage.

EDUCATION

Public Schools—Virginia

Chapter 500 of the acts of the 1958 Virginia Assembly, approved by the Governor on March 29, 1958, amends that state's 1956 Pupil Placement Act (1 Race Rel. L. Rep. 1109). Changes include the elimination of a fixed term of office for members of the Pupil Placement Board, the substitution of criteria for assignment of pupils, and a grant of subpoena powers. (For judicial action under the 1956 act, see *Adkins v. School Board of Newport News*, 2 Race Rel. L. Rep. 808; *Calloway v. Farley*, 2 Race Rel. L. Rep. 1121; *DeFebio v. School Board of Fairfax County*, 3 Race Rel. L. Rep. 21).

Be it enacted by the General Assembly of Virginia:

1. That §§ 22-232.1, 22-232.2, 22-232.3, 22-232.5, 22-232.7 and 22-232.10 of the Code of Virginia be amended and reenacted and a new section numbered 22-232.17 added, as follows:

§ 22-232.1. All power of enrollment or placement of pupils in and determination of school attendance districts for the public

schools in Virginia is hereby vested in a Pupil Placement Board as hereinafter provided for. The local school boards and division superintendents are hereby divested of all authority now or at any future time to determine the school to which any child shall be admitted. The Pupil Placement Board is hereby empowered to adopt rules and regulations for such enrollment of pupils as are not inconsistent with the provi-