

1     **Section 2**                                     **Local Government**

2     Each political subdivision shall have the power to adopt its own framework for local  
3     government within such limits and under such procedures as may be provided by law.  
4     The framework for local government shall be created by a commission composed of  
5     members elected from said subdivision established by law. The Senate shall provide for  
6     the election of commissions within one year of ratification of this Constitution.

7     **Section 3**                                     **Mandates, Accrued Claims**

8     No law shall be passed mandating any political subdivision to pay any claim accrued  
9     prior to the establishment of the local government.

10    **Section 4**                                     **General Laws**

11    The legislative power of the Senate shall always be superior to any legislative authority  
12    that may be granted to any local government.

13                                     **ARTICLE IX EDUCATION**

14                                     **Educational Philosophy**

15     It is the goal of the Virgin Islands to provide its citizens with a free, high-quality, public  
16     education system that does not discriminate against any citizen, preserves the African  
17     history, culture and traditions of the people of the Virgin Islands, and prepares its citizens  
18     to compete globally.  
19     to compete globally.

20     **Section 1**                                     **Public Education System**

- 21     (a)    The government shall provide for a free, high-quality, public education  
22            system that includes early childhood, elementary, middle, secondary,  
23            career and technical higher education.  
24     (b)    The early childhood, elementary, middle education and secondary  
25            education shall be compulsory and shall begin at the earliest age when a  
26            child has the mental and physical capacity for classroom learning.  
27     (c)    The system shall maintain state of the art technology and up-to-date  
28            textbooks in the classrooms.  
29     (d)    The system shall maintain the smallest class size possible to ensure that  
30            each student receives a high-quality education, but in any case, the class  
31            size shall not have more than 20.  
32     (d)    The system shall maintain the smallest class size possible to ensure that  
33            each student receives a high-quality education, but in any case, the class  
34            size shall not have more than 20.  
35     (d)    The system shall maintain the smallest class size possible to ensure that  
36            each student receives a high-quality education, but in any case, the class  
37            size shall not have more than 20.

38     **Section 2**                                     **Funding**

- 39     (a)    The Virgin Islands Senate shall provide the funding necessary to obtain  
40            and maintain a free, high-quality, public education system.  
41     (b)    The Virgin Islands Senate shall establish and maintain the Virgin Islands  
42            Fund for Education.  
43     (c)    The fund shall be supported by appropriations and allotments from the  
44            General Fund which shall include at least fifty percent (50%) of all  
45            earnings derived from legal and illegal games of chance in the territory.  
46     (c)    The fund shall be supported by appropriations and allotments from the  
47            General Fund which shall include at least fifty percent (50%) of all  
48            earnings derived from legal and illegal games of chance in the territory.  
49     (c)    The fund shall be supported by appropriations and allotments from the  
          General Fund which shall include at least fifty percent (50%) of all  
          earnings derived from legal and illegal games of chance in the territory.

- 1  
2 (d) The Virgin Islands Fund for Education shall, to the greatest extent  
3 possible, be guaranteed an annual budget of not less than thirty percent  
4 (30%) of the general revenues of the territory, designated only for the  
5 support of the objectives stated in these provisions, that shall not be  
6 reprogrammed.  
7

8 **Section 3 Virgin Islands Board of Education**  
9

- 10 (a) A Board of Education for the Virgin Islands shall be established by law  
11 and shall operate under the following terms:  
12

13 (1) Members. The Board shall consist of fourteen (14) members. The  
14 members shall be the persons who have been elected to the two District  
15 Boards of Education.  
16

17 (2) Terms. Members of the Boards shall be elected for terms of four (4)  
18 years. The terms of office shall be staggered.  
19

20 (3) St. Croix and St. Thomas/St. John Districts. (a) There shall be: two  
21 electoral districts (1) St. Croix and (2) St. Thomas/St. John; and (b) each  
22 district shall elect seven (7) members to the Board, provided that one  
23 board member elected from the district of St. Thomas/St. John shall be  
24 domiciled in St. John regardless of the definition of districts.  
25

26 (4) Chairman and Vice Chairman. The members of the Virgin Islands  
27 Board shall elect a Chairman and a Vice-Chairman from among its  
28 number at the first meeting after each election.  
29

30 (5) Vacancy. When a vacancy occurs on the Virgin Islands Board, the  
31 Chairman of the Board shall name a replacement from the next person in  
32 line with the highest number of votes, within thirty (30) days of the  
33 vacancy. The person named shall serve for the remainder of the term.  
34

- 35 (b) The Virgin Islands Board of Education shall have the following powers  
36 and duties:  
37

38 (1) Function as the State Board of Education with all the responsibilities  
39 and duties required by the United States Department of Education;  
40

41 (2) Be responsible for the policy, management and operation of the  
42 education system;  
43

44 (3) Hire a Superintendent for each district who shall administer the  
45 policies of the Board;  
46

47 (4) Hire a Director of Human Resources, a Director of Curriculum and  
48 Instruction, and a Director of Capital Projects;  
49

- 1 (5) Ensure that classroom size shall, to the greatest extent possible, be no  
2 greater than the median size ratios of public school systems of high  
3 quality by the year 2012;  
4  
5 (6) Ensure that African and Caribbean history, the culture and history of  
6 the Virgin Islands and its original people are included in the curriculum  
7 of study.  
8  
9 (7) Set the school calendar for all public schools in the territory;  
10  
11 (8) Act as the Virgin Islands Board of Technical and Career Education;  
12  
13 (9) Certify all educational professionals and schools, public and non-  
14 public, in the territory to ensure that a high-quality education is provided;  
15  
16 (10) Have oversight of the Territorial Scholarship Program;  
17  
18 (11) Shall present an annual report to the Virgin Islands Senate on the  
19 state of the Education System of the Virgin Islands by August 1<sup>st</sup> of each  
20 year;  
21  
22 (12) Require the compulsory teaching of African and Caribbean history,  
23 culture and vocational education in schools from elementary to twelfth  
24 grade.  
25  
26 (13) Any other such powers or duties established by law.  
27

28 **Section 4**

**District Boards of Education**

- 29  
30 (a) Boards of Education for each of the districts of the Virgin Islands shall  
31 be established by law and shall operate under the following terms:  
32  
33 (1) Districts. There shall be two District Boards: one for the island of  
34 St. Croix, and one for the islands of St. Thomas/St. John.  
35  
36 (2) Members. Each of the District Boards shall have seven (7) members  
37 elected by the citizens of each of the electoral districts of the Virgin  
38 Islands.  
39  
40 (3) St. Thomas/St. John District. The St. Thomas/St. John District must  
41 have at least one (1) member who is a resident of St. John.  
42  
43 (4) Chairman and Vice Chairman. The members of each District Board  
44 shall elect a Chairman and a Vice-Chairman from among the  
45 members of that District at the first meeting after each election.  
46  
47 (5) Vacancy. When a vacancy occurs on the District Board, the  
48 Chairman of the District Board shall name a replacement from the  
49 next person in line with the highest number of votes in the district,  
50 within thirty (30) days of the vacancy. The person named shall serve  
51 for the remainder of the term.

(b) The District Boards of Education shall have the following powers and duties:

(1) Each District shall hire a Director of Budget and Management, a Director of Maintenance, and a Director of Nutrition and Food Service.

(2) Any other such powers or duties established by law.

**Section 5 Commission on Civics**

(a) A Commission on Civics for the Virgin Islands shall be established by law.

(b) The Commission shall have the following powers and duties:

(1) Develop and coordinate programs in collaboration with schools to educate students in the importance of governance and democracy and citizen involvement in a representative democracy;

(2) Any other such powers or duties established by law.

(c) The Commission shall remain effective for a period of five (5) years after establishment.

(d) The members of the commission shall elect a chairman, vice chairman, and such other officers as it shall determine;

(e) A member of the commission shall serve without compensation for his services, but may receive a per diem and be reimbursed for reasonable and necessary travel and other expenses actually incurred on business of the commission;

(f) The commission shall hold meetings at least every quarter upon the call of the chairman or the majority of the members. The initial meeting of the commission shall be called by the president of the Virgin Islands Senate;

(g) Staff and facilities needed by the commission to accomplish its purposes shall be provided by the Virgin Islands Senate from its existing resources.

**ARTICLE X YOUTH**

**Section 1 Minimum Age of Employment**

The Senate shall establish laws and regulations to govern the employment of children in the Virgin Islands including a minimum age required for employment.

**Section 2 Free Tuition For Higher Education**

Graduates with four (4) years residency, from a Virgin Islands secondary public school may be eligible for free tuition for higher education if the student:

1 (a) Applies within a number of years of graduation from secondary  
2 school specified by law, is admitted and attends a Virgin Islands public  
3 institution of higher education;

4  
5 (b) Pursues an associate or bachelor degree in a degree field that has  
6 been determined to be of need by the Virgin Islands Department of  
7 Personnel;

8  
9 (c) Becomes an employee of the government in the area of need for  
10 double the years of study following the graduation from the institution of  
11 higher education as established by law; or the tuition shall be owed, and  
12 repayment shall commence six (6) months after graduation and paid in  
13 full after four (4) years;

14  
15 (d) A Graduate who does not complete a degree shall begin repayment of  
16 the tuition six (6) months after terminating pursuit of the degree; and

17  
18 (e) Any other such requirements established by law.  
19

## 20 **ARTICLE XI TAXATION, FINANCE AND COMMERCE**

### 21 **Section 1 Power to Tax**

22 The Senate shall have the exclusive power to tax and may apportion revenues among the  
23 political subdivisions.

### 24 **Section 2 Tax Review Commission**

25 There shall be a tax review commission, which shall be appointed as provided by law on  
26 or before July 1, 2011, and every five (5) years thereafter. The Commission shall submit  
27 to the Senate (a) an evaluation of the tax structure and (b) recommend policy for revenue  
28 and taxes. The Commission shall dissolve upon the delivery of the report. The Senate  
29 shall not make changes to the tax code until it has received the evaluation of the  
30 Commission.

### 31 **Section 3 Taxpayers' Bill of Rights**

32 By law the Senate shall prescribe and adopt a Taxpayers' Bill of Rights in clear and  
33 concise language that defines taxpayers' rights and fair treatment of taxpayers.  
34  
35

### 36 **Section 4 Local Government Taxation and Finance**

37 The power to tax shall be reserved to the Senate. A political subdivision may petition the  
38 Senate to impose a tax for the benefit of the local government.

### 39 **Section 5 Real Property Tax**

40 The Senate by law may provide for the levy and collection of taxes on real property in  
41 accord with the following:

42 (a) The value of real property shall be assessed at the time of purchase and  
43 remain fixed for the period of ownership;

44 (b) Real property transferred to a descendant shall not be reassessed;