

427 ~~studies in the arts and sciences~~ maintain a program of instruction to educate and train teachers  
428 for the public elementary and secondary schools of the Commonwealth without excluding other  
429 programs of instruction.

430 **Drafting note: Technical changes.**

431 § ~~23-164.10~~ 23.1-xxx. Granting easements upon, over, ~~etc.~~ across, and under the  
432 property of the University.

433 The ~~visitors of James Madison University are~~ board is authorized, subject to the written  
434 approval of the Governor ~~in writing first obtained~~, to convey upon such terms and conditions  
435 and for such consideration as ~~they deem it deems~~ proper easements upon, over, across or under  
436 the property of ~~James Madison the~~ University ~~for which they serve as the governing body~~, to the  
437 City of Harrisonburg, the County of Rockingham, the Rockingham Memorial Hospital, or ~~to~~  
438 any public utility or public service company, for the purpose of erecting or maintaining power,  
439 telephone, water, sewer, or gas lines and mains; ~~provided, that~~ (i) any deed or other conveyance  
440 executed ~~hereunder pursuant to this section~~ shall be in a form approved by the Attorney  
441 General; and ~~provided, further, that~~ (ii) any funds derived by the ~~visitors~~ board in consideration  
442 of the granting of any such easement shall be paid into the state treasury to the account of ~~James~~  
443 ~~Madison the~~ University ~~for use to be used~~ for capital outlay expenditures as authorized by the  
444 ~~visitors of James Madison University board~~.

445 **Drafting note: Technical changes.**

446 CHAPTER ~~15~~ 17.

447 LONGWOOD UNIVERSITY.

448 **Drafting note: Existing Chapter 15 of Title 23 is logically reorganized as proposed**  
449 **Chapters 13 and 17 of Title 23.1. Existing provisions that apply generally to governing**  
450 **boards of public institutions of higher education are consolidated in proposed Chapter 13.**  
451 **Existing provisions relating to the incorporation, membership and meetings, and powers**  
452 **and duties of the governing board that are unique to the University are retained in**  
453 **proposed Chapter 17.**

454        § ~~23-182~~ 23.1-xxx. ~~Board of visitors established as corporation~~ Corporate name; name  
455 of the University.

456        ~~There is hereby established a corporation composed of the~~ A. The board of visitors of  
457 Longwood University (the board) shall be a corporation under the name and style of "The  
458 Visitors of Longwood University;" ~~hereinafter referred to in this chapter as the board~~ and shall  
459 have, in addition to its other powers, all the corporate powers given to corporations by the  
460 provisions of Title 13.1 except those powers that are confined to corporations created pursuant  
461 to Title 13.1. The board shall at all times be under the control of the General Assembly.

462        § ~~23-183~~. Name.

463        ~~The University~~ B. The institution shall be known as Longwood University (the  
464 University).

465        **Drafting note: Existing §§ 23-182 and 23-183 are combined as proposed § 23.1-xxx.**  
466 **Technical changes are made to conform the language in this section to that of each other**  
467 **four-year public institution of higher education.**

468        § ~~23-184~~. Property transferred to Longwood University and owned by Commonwealth.

469        ~~All the real estate and personal property now existing and heretofore standing in the~~  
470 ~~name of the State Board of Education, located at Farmville, and heretofore used by Longwood~~  
471 ~~University under the State Board of Education, shall be transferred to and be known and taken~~  
472 ~~as standing in the name, and to be under the control, of the corporate body designated "The~~  
473 ~~Visitors of Longwood University." Such real estate and personal property shall be the property~~  
474 ~~of the Commonwealth.~~

475        **Drafting note: The provisions of existing § 23-184 are stricken as obsolete.**

476        § ~~23-185~~ 23.1-xxx. ~~Composition of board; appointment and terms of visitors generally;~~  
477 ~~vacancies; confirmation.~~ Membership.

478        A. The board shall consist of 13 members who shall be appointed by the Governor, of  
479 whom at least two shall be alumni of the University and at least 11 shall be residents of the  
480 Commonwealth.

481 ~~B. The Governor shall appoint the 13 appointive members of the board for terms of four~~  
482 ~~years each. Members shall be eligible for service for two consecutive terms of four years,~~  
483 ~~exclusive of that portion of any unexpired term. Successors to the members so appointed shall~~  
484 ~~be appointed to serve for terms of four years each. Vacancies occurring other than by expiration~~  
485 ~~of term shall be filled for the unexpired term. Of the persons so appointed two shall be alumni of~~  
486 ~~the University, and two may be nonresidents of the Commonwealth, the remaining number to be~~  
487 ~~selected from the Commonwealth at large.~~

488 ~~C. All appointments shall be subject to confirmation by the General Assembly. Members~~  
489 ~~shall continue to hold office until their successors have been appointed and have qualified. The~~  
490 ~~alumni association of the University may submit to the Governor a list of at least three nominees~~  
491 ~~for each vacancy on the board of visitors, whether the vacancy occurs by expiration of a term or~~  
492 ~~otherwise. The Governor may appoint a member from the list of nominees.~~

493 **Drafting note: Existing provisions relating to the membership of the board of**  
494 **visitors are logically combined in this proposed section, existing provisions relating to the**  
495 **terms and removal of members of the board are stricken and incorporated instead into**  
496 **proposed Chapter 13, and technical changes are made to conform the language to that of**  
497 **each other four-year public institution of higher education.**

498 ~~§ 23-186. Appointment of visitors from alumni.~~

499 ~~A. The Governor may appoint visitors from a list of qualified persons submitted to him,~~  
500 ~~by the alumni association of the University, or its titular successor, on or before the first day of~~  
501 ~~July of any year in which the terms of any visitors will begin or expire.~~

502 ~~B. Every list shall contain at least three names for each vacancy to be filled.~~

503 ~~C. The Governor shall not be limited in his appointments to the persons so nominated.~~

504 **Drafting note: The provisions of existing § 23-186 are stricken and incorporated**  
505 **instead into proposed § 23.1-xxx.**

506 ~~§ 23-186.1. Removal of visitors.~~

507 ~~If any visitor fails to perform the duties of his office for one year without sufficient~~  
508 ~~cause shown to the board, the board of visitors shall, at its next meeting after the end of such~~  
509 ~~year, cause the fact of such failure to be recorded in the minutes of its proceedings and certify~~  
510 ~~the same to the Governor. The office of such visitor shall be vacated. If so many of such visitors~~  
511 ~~fail to perform their duties that a quorum thereof do not attend for a year, upon a certificate~~  
512 ~~thereof being made to the Governor by the rector or any member of the board or by the~~  
513 ~~president of the University, the offices of all visitors so failing to attend shall be vacated.~~

514 **Drafting note: The provisions of existing § 23-186.1 are stricken and incorporated**  
515 **instead into proposed Chapter 13.**

516 ~~§ 23-187. Eligibility to serve more than two successive terms.~~

517 ~~No person shall be eligible to serve for or during more than two successive terms except~~  
518 ~~the persons receiving initial appointments for only two years and who have served an additional~~  
519 ~~four year term may be appointed for another four year term.~~

520 **Drafting note: The provisions of existing § 23-187 are stricken and incorporated**  
521 **instead into proposed Chapter 13.**

522 ~~§ 23-188. Rights, powers and duties of board generally.~~

523 ~~The board shall be vested with all the rights and powers conferred by this chapter insofar~~  
524 ~~as the same are not inconsistent with the laws of the Commonwealth.~~

525 ~~The board shall control and expend the funds of the University and any appropriation~~  
526 ~~hereafter provided, and shall make all needful rules and regulations concerning the University,~~  
527 ~~appoint the president, who shall be its chief executive officer, and all professors, teachers and~~  
528 ~~agents, and fix their salaries, and generally direct the affairs of the University.~~

529 **Drafting note: The provisions of existing § 23-188 are stricken here and**  
530 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

531 ~~§ 23-189. Board may fix tuition, fees and other necessary charges.~~

532 ~~The board may fix the rates charged the students of the University for tuition, fees and~~  
533 ~~other necessary charges.~~

534 **Drafting note: The provisions of existing § 23-189 are stricken here and**  
535 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

536 ~~§ 23-190. Right to confer degrees.~~

537 ~~The board shall have the right to confer degrees.~~

538 **Drafting note: The provisions of existing § 23-190 are stricken here and**  
539 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

540 ~~§ 23-191 23.1-xxx. Curriculum Program of instruction to educate and train teachers.~~

541 ~~The curriculum of Longwood University board shall embrace such branches of learning~~  
542 ~~as relate to teaching in the public free schools of Virginia, without excluding other studies in the~~  
543 ~~arts and sciences maintain a program of instruction to educate and train teachers for the public~~  
544 ~~elementary and secondary schools of the Commonwealth without excluding other programs of~~  
545 ~~instruction.~~

546 **Drafting note: Technical changes.**

547 CHAPTER ~~9.2~~ 18.

548 UNIVERSITY OF MARY WASHINGTON.

549 **Drafting note: Existing Chapter 9.2 of Title 23 is logically reorganized as proposed**  
550 **Chapters 13 and 18 of Title 23.1. Existing provisions that apply generally to governing**  
551 **boards of public institutions of higher education are consolidated in proposed Chapter 13.**  
552 **Existing provisions relating to the incorporation, membership, and meetings of the**  
553 **governing board that are unique to the University are retained in proposed Chapter 18.**

554 ~~§ 23-91.34 23.1-xxx. Board of visitors a corporation and under control of General~~  
555 ~~Assembly Corporate name; name of the University.~~

556 ~~There is hereby established a corporate body composed of the A. The~~ board of visitors of  
557 the University of Mary Washington ~~(the board) shall be a corporation~~ under the ~~name and~~ style  
558 ~~of~~ "The Rector and Visitors of the University of Mary Washington" ~~hereinafter referred to in~~  
559 ~~this chapter as the board, which and~~ shall have, in addition to its other powers, all the corporate  
560 powers given to corporations by the provisions of Title 13.1; except ~~in~~ those ~~cases where by the~~