

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 ~~§ 23-194 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~~

561 ~~express terms of the provisions thereof, it is powers that are confined to corporations created~~
562 ~~under such title, and the board shall also have the power to accept, execute and administer any~~
563 ~~trust in which it may have an interest under the terms of the instrument creating the trust. Such~~
564 ~~corporation pursuant to Title 13.1. The board shall ~~be subject~~ at all times to be under the control~~
565 of the General Assembly.

566 B. The institution shall be known as the University of Mary Washington (the
567 University).

568 **Drafting note: Technical changes are made to conform the language in this section**
569 **to that of each other four-year public institution of higher education.**

570 ~~§ 23-91.35. Transfer of certain property.~~

571 ~~Upon July 1, 1972, all real estate and personal property held by the University of Mary~~
572 ~~Washington prior to its union with the rector and visitors of the University of Virginia; control~~
573 ~~of the real estate acquired from Corinne Lawton Melchers and known as "Belmont" (see~~
574 ~~Chapter 51 of the Acts of Assembly, 1960), and the real estate known as the James Monroe Law~~
575 ~~Office—Museum and Memorial Library (see Chapter 641 of the Acts of Assembly, 1964),~~
576 ~~together with the personal property associated with the respective real estate, all of such real and~~
577 ~~personal properties existing and standing in the name of the Commonwealth of Virginia but~~
578 ~~controlled by the rector and visitors of the University of Virginia; and all real and personal~~
579 ~~property acquired in the name of the rector and visitors of the University of Virginia for the use~~
580 ~~of the University of Mary Washington during the time in which the University of Mary~~
581 ~~Washington was a part of the University of Virginia, hereby is transferred to and shall be known~~
582 ~~and taken as standing in the name and under the control of the rector and visitors of the~~
583 ~~University of Mary Washington (the term "control" shall include, without limitation,~~
584 ~~"management, control, operation and maintenance"). Such real estate and personal property~~
585 ~~shall be the property of the Commonwealth.~~

586 **Drafting note: The provisions of existing § 23-91.35 are stricken as obsolete.**

587 ~~§ 23-91.36. Appointment of visitors generally; terms. 23.1-xxx. Membership.~~

588 (a) A. The board shall consist of ~~twelve~~ 12 members, ~~who shall be~~ appointed by the
 589 Governor. ~~Of the twelve members, no more than three may be nonresidents of Virginia, of~~
 590 whom at least nine shall be residents of the Commonwealth and at least six shall be alumni of
 591 the University.

592 (b) ~~In 1972 the Governor shall appoint the members of the board for terms beginning~~
 593 ~~July 1, 1972. Three of such appointments shall be for terms of four years each, three for terms of~~
 594 ~~three years, three for terms of two years, and three for terms of one year. Subsequent~~
 595 ~~appointments shall be for terms of four years; provided, however, that appointments to fill~~
 596 ~~vacancies occurring otherwise than by expiration of terms shall be for the unexpired terms.~~

597 (c) ~~All appointments shall be subject to confirmation by the General Assembly.~~
 598 ~~Members shall continue to hold office until their successors have been appointed and have~~
 599 ~~qualified.~~

600 B. The alumni association of the University may submit to the Governor a list of at least
 601 three nominees for each vacancy on the board of visitors, whether the vacancy occurs by
 602 expiration of a term or otherwise. The Governor may appoint a member from the list of
 603 nominees.

604 **Drafting Note: Existing provisions relating to the membership of the board of**
 605 **visitors are logically combined in this proposed section, existing provisions relating to the**
 606 **terms and removal of members of the board are stricken and incorporated instead into**
 607 **proposed Chapter 13, and technical changes are made to conform the language to that of**
 608 **each other four-year public institution of higher education.**

609 ~~§ 23-91.37. Appointment of visitors from nominees of alumni association.~~

610 (a) ~~The Governor may, if his discretion so dictates, appoint visitors from a list of~~
 611 ~~qualified persons submitted to him by the alumni association of the University of Mary~~
 612 ~~Washington on or before the first day of December of any year next preceding a year in which~~
 613 ~~the terms of any of such visitors will expire.~~

614 ~~(b) Whenever a vacancy occurs otherwise than by expiration of term, the Governor shall~~
615 ~~certify this fact to the association and nominations may be submitted of qualified persons. The~~
616 ~~Governor may fill the vacancy, if his discretion so dictates, from among the eligible nominees of~~
617 ~~the association, whether or not alumni or alumnae.~~

618 ~~(c) Every such list of prospective appointees shall contain at least three names for each~~
619 ~~vacancy to be filled.~~

620 ~~(d) The Governor is not to be limited in his appointments to the persons so nominated.~~

621 ~~(e) At no time shall fewer than six of the members of the board be alumni or alumnae of~~
622 ~~the University.~~

623 **Drafting Note: The provisions of existing § 23-91.37 are stricken and incorporated**
624 **instead into proposed § 23.1-xxx.**

625 ~~§ 23-91.38. Eligibility to serve for more than two terms.~~

626 ~~No person shall be eligible to serve on the board of visitors for or during more than two~~
627 ~~successive four-year terms; but after the expiration of a term of two years or less, or after the~~
628 ~~expiration of the remainder of a term to which appointed to fill a vacancy, a member may serve~~
629 ~~two additional four-year terms if appointed thereto.~~

630 **Drafting Note: The provisions of existing § 23-91.38 are stricken and incorporated**
631 **instead into proposed Chapter 13.**

632 ~~§ 23-91.39. Removal of visitors.~~

633 ~~If any visitor fails to perform the duties of his office for one year, without sufficient~~
634 ~~cause shown to the board, the board of visitors shall, at their next meeting after the end of such~~
635 ~~year, cause the fact of such failure to be recorded in the minutes of their proceedings, and certify~~
636 ~~the same to the Governor; and the office of such visitor shall be thereupon vacant. If so many of~~
637 ~~such visitors fail to perform their duties that a quorum thereof do not attend for a year, upon a~~
638 ~~certificate thereof being made to the Governor by the rector or any member of the board or by~~
639 ~~the president of the University, the offices of all visitors so failing to attend shall be vacated.~~

640 **Drafting Note: The provisions of existing § 23-91.39 are stricken and incorporated**
641 **instead into proposed Chapter 13.**

642 ~~§ 23-91.40. Powers and duties of visitors generally; meetings; rector, secretary and vice-~~
643 ~~rector; executive committee. 23.1-xxx. Meetings; officers; committees.~~

644 ~~(a) The board of visitors shall be vested with all the rights and powers conferred by the~~
645 ~~provisions of this title insofar as the same are not inconsistent with the provisions of this chapter~~
646 ~~and the general laws of the Commonwealth.~~

647 ~~The board shall control and expend the funds of the University and any appropriation~~
648 ~~hereafter provided, and shall make all needful rules and regulations concerning the University;~~
649 ~~appoint the president, who shall be its chief executive officer, and all teachers, and fix their~~
650 ~~salaries, and provide for the employment of other personnel as required, and generally direct the~~
651 ~~affairs of the University.~~

652 ~~(b) A.~~ The board of visitors shall meet at the University once a year, and at such other
653 times as ~~they shall determine, the days of meetings to be fixed by them~~ as it determines.

654 B. A majority of the members shall constitute a quorum.

655 ~~At the first meeting after July 1, 1972, and every second year thereafter, they~~ C. At the
656 first meeting after July 1 in every even-numbered year, the board shall appoint from ~~their own~~
657 body its membership a rector, ~~who shall to~~ preside at their its meetings, ~~a secretary and~~ a vice-
658 rector to preside at its meetings in the absence of the rector, and a secretary to preside at its
659 meetings in the absence of the rector and vice-rector.

660 ~~In the absence of the rector or vice-rector at any meeting, the secretary shall preside, and~~
661 ~~in the absence of all three, the~~ C. The board may appoint a pro tempore officer to preside at its
662 meetings in the absence of the rector, vice-rector, and secretary.

663 ~~Any vacancies~~ D. Vacancies in the offices of rector, vice-rector ~~or, and~~ secretary may be
664 filled by the board for the unexpired term. ~~Special meetings of the board may be called by the~~
665 ~~rector or any three members. In either of such cases, notice of the time of meetings shall be~~
666 ~~given by the secretary to every member.~~

667 ~~(e) F.~~ At every regular annual meeting of the board ~~they it~~ may appoint an executive
668 committee for the transaction of business in the recess of the board, ~~not less than three nor~~
669 ~~consisting of at least three and not~~ more than five members, to serve for a period of one year or
670 until the next regular annual meeting.

671 **Drafting note: Technical changes are made to conform provisions relating to**
672 **meetings, officers, and committees of the board of visitors to those of each other four-year**
673 **public institution of higher education.**

674 ~~§ 23-91.41. Rates, fees and charges.~~

675 ~~The board may fix, in its discretion, the rates charged the students of the University for~~
676 ~~tuition, fees and other necessary charges.~~

677 **Drafting note: The provisions of existing § 23-91.41 are stricken here and**
678 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

679 ~~§ 23-91.42. Degrees.~~

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

681 **Drafting note: The provisions of existing § 23-91.42 are stricken here and**
682 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

683 ~~§ 23-91.43 23.1-xxx. Curriculum Academic programs.~~

684 ~~The existing collegiate curriculum of the University shall be continued; however,~~
685 ~~Subject to the provisions of § 23.1-xxx [23-9.6:1], the board may make such alterations therein~~
686 ~~as it shall from time to time deem necessary approve new academic programs and discontinue~~
687 ~~academic programs offered by the University.~~

688 **Drafting note: Technical changes.**

689 ~~§ 23-91.44. Sale, etc., of real estate.~~

690 ~~The rector and visitors of the University of Mary Washington, with the approval of the~~
691 ~~Governor first obtained, are hereby authorized to lease, sell and convey any and all real estate to~~
692 ~~which it has acquired title by gift, devise or purchase since the commencement of the University~~
693 ~~under any previous names, or which may hereafter be conveyed or devised to it. The proceeds~~

694 ~~derived from any such lease, sale or conveyance shall be held by the rector and visitors of the~~
695 ~~University of Mary Washington, upon identical trusts, and subject to the same uses, limitations~~
696 ~~and conditions, if any, that are expressed in the original deed or will under which its title was~~
697 ~~derived; or if there be no such trusts, uses, limitations or conditions expressed in such original~~
698 ~~deed or will, then such funds shall be applied by the rector and visitors of the University to such~~
699 ~~purposes as said board may deem best for the University.~~

700 **Drafting note: The provisions of existing § 23-91.44 are stricken here and**
701 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

702 CHAPTER ~~13.1~~ 19.

703 NORFOLK STATE UNIVERSITY.

704 **Drafting note: Existing Chapter 13.1 of Title 23 is logically reorganized as proposed**
705 **Chapters 13 and 19 of Title 23.1. Existing provisions that apply generally to governing**
706 **boards of public institutions of higher education are consolidated in proposed Chapter 13.**
707 **Existing provisions relating to the incorporation, membership, and meetings of the**
708 **governing board that are unique to the University are retained in proposed Chapter 19.**

709 ~~§ 23-174.1 23.1-xxx. Corporation established under control of General Assembly~~
710 Corporate name; name of the University.

711 A. The corporation composed of the board of visitors of Norfolk State College,
712 heretofore established by law, is continued as the board of visitors of Norfolk State University
713 (the board) shall be a corporation under the name and style of "The Visitors of Norfolk State
714 University," and which shall have, in addition to its other powers, all the corporate powers given
715 to corporations by the provisions of Title 13.1 except those powers that are confined to
716 corporations created pursuant to Title 13.1. The board shall at all times ~~shall~~ be under the
717 control of the General Assembly.

718 B. The institution shall be known as Norfolk State University (the University).