

CHAPTER ~~13.1~~ 19.

NORFOLK STATE UNIVERSITY.

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

~~§ 23-174.1 23.1-1900. Corporation established under control of General Assembly~~
Corporate name; name of the University.

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

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

~~Whenever the term "C. All laws relating to Norfolk State College" is used in any law of this Commonwealth, it or the board of visitors of Norfolk State College~~ shall be construed as relating to mean Norfolk State the University or the board, respectively.

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

~~§ 23-174.2. Corporation to establish and maintain University.~~

~~The corporation is formed for the purpose of establishing and maintaining a university in the name and style of "Norfolk State University."~~

Drafting note: The provisions of existing § 23-174.2 are stricken and incorporated instead into proposed § 23.1-1900.

~~§ 23-174.3. Transfer of property.~~

~~All real estate and personal property existing and standing in the name of the Visitors of Norfolk State College shall be known and taken as standing in the name, and to be under the control, of the Visitors of Norfolk State University. Such real estate and personal property shall be the property of the Commonwealth.~~

Drafting note: The provisions of existing § 23-174.3 are stricken here and incorporated instead into proposed § 23.1-1310.

~~§ 23-174.4 23.1-1901. Composition of board of visitors; appointment, terms, etc. Membership; executive committee.~~

A. The board of visitors shall consist of 13 members ~~who shall be~~ appointed, ~~on or before June 30 of any year in which their terms shall expire,~~ by the Governor ~~for terms of four years, of whom at least four shall be alumni of the University.~~ Of the ~~persons so~~ alumni appointed, ~~four shall be alumni of Norfolk State University of which three may be nonresidents of the Commonwealth at least one shall be a resident of the Commonwealth.~~ ~~Vacancies occurring other than by expiration of term shall be filled by the Governor for the unexpired term.~~

B. ~~The Governor may appoint alumni visitors from a list of qualified persons submitted to him upon the recommendation of the National Alumni Association of Norfolk State University on or before November 1 of any year in which the terms of such visitors shall expire. The National Alumni Association of Norfolk State University shall submit the names of four qualified alumni for each vacancy.~~

C. ~~All appointments shall be subject to confirmation by the General Assembly. Members shall continue to hold office until their successors have been appointed and qualified. Members shall be eligible for two consecutive terms of four years, exclusive of that portion of any term on the initial board of less than four years or any unexpired term. The alumni association of the~~

University may submit to the Governor a list of four nominees for each vacancy on the board, whether the vacancy occurs by expiration of a term or otherwise. The Governor may appoint a member from the list of nominees.

C. The board may appoint at least three and not more than five of its members to an executive committee that shall have and may exercise such powers as the board may prescribe.

Drafting note: The November deadline for alumni association recommendations is recommended for repeal as obsolete. The remaining existing provisions relating to the terms and removal of members of the board are stricken and incorporated instead into proposed § 23.1-1300. Subsection C incorporates the last sentence of existing § 23-174.5. Technical changes are made to conform the language to that of each other four-year public institution of higher education.

§ 23-174.6 23.1-1902. Control of funds; rules and regulations; appointment, etc., of president, faculty and staff Powers and duties.

A. The board shall control and expend the funds of the corporation and any appropriation hereafter provided, and shall make all necessary rules and regulations concerning the University, appoint a president, who shall be its chief executive officer, and (i) make all provisions for teachers, staff members, and agents, and shall fix their salaries, and shall prescribe their duties and (ii) generally direct the affairs of the University.

§ 23-174.5. Rights and powers of board of visitors generally; executive committee.

The board shall be vested with all the rights and powers conferred by the provisions of this chapter and the provisions relating to similar corporations under the laws of this Commonwealth so far as they are applicable. B. The corporation shall also have the power to board may take, hold, receive, and enjoy any gift, grant, devise, or bequest to Norfolk State the University, the same to be held for the uses and purposes designated by the donor, if any, or if not so designated, for the general purposes of the corporation board. The board may designate not less than three nor more than five of its members to constitute an executive committee which shall have and may exercise such authority of the board as the board may provide.

~~§ 23-174.7. Right to confer degrees; tuition, fees and other charges.~~

~~C. The board shall have the right to may confer degrees, and may fix the rates charged the students of the University for tuition, fees and other necessary charges.~~

Drafting note: The board's duties to control and expend funds, make regulations, and appoint a president, as set forth in existing § 23-174.6, are stricken and incorporated instead into proposed § 23.1-1301. Language related to the duty to generally direct the affairs of the University is added to conform the board's duties to those of the majority of other four-year public institutions of higher education. The provisions of existing § 23-174.5 related to gifts, grants, devises, and bequests are incorporated into subsection B of this proposed section. The provisions of existing § 23-174.5 related to the executive committee of the board are stricken and incorporated instead as subsection C of proposed § 23.1-1901. The provisions of existing § 23-174.7 related to conferring degrees are incorporated into subsection C of this proposed section. The provisions of existing § 23-174.7 related to fixing tuition and fees are stricken and incorporated instead into proposed § 23.1-1301. Technical changes are made.

~~§ 23-174.8, 23-174.9.~~

Drafting note: Repealed by Acts 1979, c. 146.

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