

- 1706 ~~Article 6.~~
- 1707 ~~Patrick Henry College of the University of Virginia.~~
- 1708 ~~§§ 23-91.5 through 23-91.8.~~
- 1709 **Drafting note: Repealed by Acts 1983, c. 63.**
- 1710 ~~Article 7.~~
- 1711 ~~Eastern Shore Branch of School of General Studies.~~
- 1712 ~~§§ 23-91.9 through 23-91.12.~~
- 1713 **Drafting note: Repealed by Acts 1983, c. 63.**
- 1714 ~~§ 23-91.13. [Reserved.]~~
- 1715 **Drafting note: Reserved.**
- 1716 ~~Article 8.~~
- 1717 ~~George Mason College.~~
- 1718 ~~§§ 23-91.14 through 23-91.17.~~
- 1719 **Drafting note: Repealed by Acts 1972, c. 550.**
- 1720 ~~§§ 23-91.18, 23-91.19. [Reserved.]~~
- 1721 **Drafting note: Reserved.**
- 1722 ~~CHAPTER 6.~~
- 1723 ~~MEDICAL COLLEGE OF VIRGINIA.~~
- 1724 ~~§§ 23-50 through 23-50.13.~~
- 1725 **Drafting note: Repealed by Acts 1968, c. 93.**
- 1726 ~~CHAPTER 6.1 23.~~
- 1727 VIRGINIA COMMONWEALTH UNIVERSITY.
- 1728 **Drafting note: Existing Chapter 6.1 of Title 23 is logically reorganized as proposed**
- 1729 **Chapters 13 and 23 of Title 23.1. Existing provisions that apply generally to governing**
- 1730 **boards of public institutions of higher education are consolidated in Chapter 13. Existing**
- 1731 **provisions relating to the incorporation, powers and duties, and membership and meetings**
- 1732 **of the governing board that are unique to the University are retained in Chapter 23.**

1733 § ~~23-50.4~~ 23.1-xxx. ~~Corporation established~~ Corporate name; name of the University.
1734 ~~There is hereby established a corporation consisting of the~~ A. The board of visitors of
1735 ~~the~~ Virginia Commonwealth University (the board) shall be a corporation under the name and
1736 style of "Virginia Commonwealth University," and shall have, in addition to its other powers, all
1737 the corporate powers given to corporations by the provisions of Title 13.1 except those powers
1738 that are confined to corporations created pursuant to Title 13.1. The board shall at all times be
1739 under the control of the General Assembly.

1740 B. The institution shall be known as Virginia Commonwealth University (the
1741 University).

1742 **Drafting note: Technical changes are made to conform the language in this section**
1743 **to that of each other four-year public institution of higher education.**

1744 § ~~23-50.5~~. ~~Transfer of property, rights, duties, etc., of Medical College of Virginia and~~
1745 ~~Richmond Professional Institute.~~

1746 ~~All real estate and personal property existing and standing in the name of the corporate~~
1747 ~~bodies designated "Medical College of Virginia" and "Richmond Professional Institute" as of~~
1748 ~~July 1, 1968, shall be transferred automatically to and, by virtue of this chapter, shall be known~~
1749 ~~and taken as standing in the name and to be under the control of the corporate body designated~~
1750 ~~"Virginia Commonwealth University." Such real estate and personal property shall be the~~
1751 ~~property of the Commonwealth. All rights, duties, contracts and agreements of the Medical~~
1752 ~~College of Virginia and Richmond Professional Institute as of July 1, 1968, are hereby vested in~~
1753 ~~such corporate body designated "Virginia Commonwealth University," which shall thenceforth~~
1754 ~~be responsible and liable for all the liabilities and obligations of each of the predecessor~~
1755 ~~institutions.~~

1756 **Drafting note: The provisions of existing § 23-50.5 are stricken as obsolete.**

1757 § ~~23-50.6~~ 23.1-xxx. ~~Appointment, terms, etc., of board of visitors; boards of predecessor~~
1758 ~~institutions to serve as advisory boards~~ Membership.

1759 ~~(a) A.~~ The board ~~of visitors is to~~ shall consist of ~~sixteen~~ 16 members ~~to be~~ appointed by
1760 the Governor ~~for four year terms except that vacancies other than by expiration of term shall be~~
1761 ~~filled as provided in subsection (d) and except that the initial term of the member appointed to~~
1762 ~~increase the board of visitors to sixteen members shall be three years.~~

1763 ~~(b) [Repealed.]~~

1764 ~~(c) Members shall be eligible for service for two consecutive terms of four years only~~
1765 ~~(exclusive of that portion of any unexpired term or any term on the board of less than four years~~
1766 ~~to which he may have been appointed).~~

1767 ~~(d) All vacancies shall be filled by the Governor for the unexpired terms.~~

1768 ~~(e) All appointments are subject to confirmation by the General Assembly if in session~~
1769 ~~when such appointments are made, and if not in session, at its next succeeding session. Visitors~~
1770 ~~shall continue to discharge their duties after their terms have expired until their successors have~~
1771 ~~been appointed and have qualified.~~

1772 ~~(f), (g) [Repealed.]~~

1773 **Drafting note: Existing provisions relating to the terms and removal of members of**
1774 **the board are stricken and incorporated instead into proposed Chapter 13, and technical**
1775 **changes are made to conform the language to that of each other four-year public**
1776 **institution of higher education.**

1777 ~~§ 23-50.9~~ 23.1-xxx. Principal office ~~of corporation~~; meetings, ~~etc., and~~; officers ~~of board~~
1778 ~~of visitors; executive committee; committees.~~

1779 ~~(a) A.~~ The principal office of the corporation shall be located, and all meetings of the
1780 board of visitors held, as far as practicable, in the City of Richmond.

1781 ~~B.~~ The board shall ~~fix the date for its annual meeting and such other meetings as it may~~
1782 ~~deem advisable~~ meet at least once a year and at such other times as it determines. ~~Due notice~~
1783 Notice of all meetings shall be ~~given provided~~ to each ~~visitor~~ member.

1784 C. A majority of the members ~~serv~~ing at any time shall constitute a quorum. ~~Such~~
1785 ~~reasonable expenses as the visitors may incur in the discharge of their duties shall be paid out of~~
1786 ~~the funds of the University.~~

1787 ~~(b) D.~~ The board shall ~~elect from its members~~ appoint from its membership a rector, a
1788 vice-rector, a secretary, and ~~such any~~ other officers as ~~it deems necessary or advisable, and~~
1789 determined by the board. The board shall prescribe their duties, and term of office, and fix their
1790 compensation if any.

1791 E. The board shall ~~also designate~~ appoint an executive committee, and determine the
1792 number of members ~~thereof~~ and the number ~~which that~~ shall constitute a quorum; ~~such. The~~
1793 executive committee shall perform ~~all the~~ duties ~~as are delegated to it~~ prescribed by the board.

1794 F. Reasonable expenses incurred by members shall be paid out of the funds of the
1795 University.

1796 **Drafting note: Technical changes are made to conform provisions relating to**
1797 **meetings, officers, and committees of the board of visitors to those of each other four-year**
1798 **public institution of higher education.**

1799 § 23-50.7. Purpose of ~~corporation board~~; redesignation of Medical College of Virginia.

1800 The ~~corporation board~~ is formed for the purpose of establishing and maintaining a
1801 university consisting of colleges, schools, and divisions offering undergraduate and graduate
1802 programs in the liberal arts and sciences and programs of education for the professions and such
1803 other ~~branches of learning programs of education~~ as may be appropriate, and in connection
1804 ~~therewith, it with this purpose, the University~~ is empowered to maintain and conduct hospitals,
1805 infirmaries, dispensaries, laboratories, research centers, power plants, and such other necessary
1806 and related facilities ~~as in the opinion of the board of visitors are deemed proper~~. The colleges,
1807 schools, and divisions ~~heretofore previously~~ existing as The Medical College of Virginia shall,
1808 ~~as of July 1, 1968,~~ be designated The Medical College of Virginia, Health Sciences Division of
1809 Virginia Commonwealth University.

1810 **Drafting note: Technical changes.**

1811 ~~§ 23-50.8. Rights, powers and privileges of corporation generally.~~
 1812 ~~The corporation is vested with all the rights, powers and privileges conferred upon and~~
 1813 ~~subject to all the provisions relating to similar corporations under the laws of this~~
 1814 ~~Commonwealth so far as they are applicable and shall have, in addition to those other powers,~~
 1815 ~~all the corporate powers given to nonstock corporations by the provisions of Chapter 10 (§ 13.1-~~
 1816 ~~801 et seq.) of Title 13.1, except in those cases where by the express terms of the provisions~~
 1817 ~~thereof it is confined to corporations created under Title 13.1. The corporation shall also have~~
 1818 ~~the power to take, hold, receive and enjoy any gift, grant, devise or bequest to Virginia~~
 1819 ~~Commonwealth University or its predecessors, the same to be held for the uses and purposes~~
 1820 ~~designated by the donor, if any, or if not so designated, for the general purposes of the~~
 1821 ~~corporation, whether given directly or indirectly; and to accept, execute and administer any trust~~
 1822 ~~in which it may have an interest under the terms of the instrument creating the trust. The~~
 1823 ~~corporation shall control and expend the funds appropriated to it by the Commonwealth~~
 1824 ~~provided by law.~~

1825 **Drafting note: The provisions of existing § 23-50.8 are stricken here and**
 1826 **incorporated instead into proposed §§ 23.1-13xx and 23.1-13xx of Chapter 13.**

1827 ~~§ 23-50.10. Rights and powers of board generally; appointment, etc., of president,~~
 1828 ~~faculty and staff; rules and regulations.~~

1829 ~~The board of visitors shall be vested with all the rights and powers conferred upon it by~~
 1830 ~~this chapter insofar as the same are not inconsistent with the general laws of the~~
 1831 ~~Commonwealth.~~

1832 ~~The board shall appoint the president, who shall be the chief executive officer of the~~
 1833 ~~University, and all professors, teachers, staff members and agents, and shall fix their salaries~~
 1834 ~~and shall prescribe their duties.~~

1835 ~~The board shall make all rules and regulations it deems advisable concerning the~~
 1836 ~~University and shall generally direct the affairs and business of the University.~~

1837 **Drafting note: The provisions of existing § 23-50.10 are stricken here and**
1838 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

1839 ~~§ 23-50.10:01. Investment of endowment funds, endowment income, and gifts; standard~~
1840 ~~of care; liability; exemption from the Virginia Public Procurement Act.~~

1841 ~~A. The board of visitors shall invest and manage the endowment funds, endowment~~
1842 ~~income, gifts, all other nongeneral fund reserves and balances, and local funds of or held by the~~
1843 ~~University in accordance with this section and the provisions of the Uniform Prudent~~
1844 ~~Management of Institutional Funds Act (§ 64.2-1100 et seq.).~~

1845 ~~B. No member of the board of visitors shall be personally liable for losses suffered by an~~
1846 ~~endowment fund, endowment income, gifts, all other nongeneral fund reserves and balances, or~~
1847 ~~local funds of or held by the University, arising from investments made pursuant to the~~
1848 ~~provisions of subsection A.~~

1849 ~~C. The investment and management of endowment funds, endowment income, gifts, all~~
1850 ~~other nongeneral fund reserves and balances, or local funds of or held by the University shall~~
1851 ~~not be subject to the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.).~~

1852 ~~D. In addition to the investment practices authorized by the Uniform Prudent~~
1853 ~~Management of Institutional Funds Act (§ 64.2-1100 et seq.), the board of visitors may also~~
1854 ~~invest or reinvest the endowment funds, endowment income, gifts, all other nongeneral fund~~
1855 ~~reserves and balances, and local funds of or held by the University in derivatives, options, and~~
1856 ~~financial securities.~~

1857 ~~1. In this section, "derivative" means a contract or financial instrument or a combination~~
1858 ~~of contracts and financial instruments, including, without limitation, any contract commonly~~
1859 ~~known as a "swap," which gives the University the right or obligation to deliver or receive~~
1860 ~~delivery of, or make or receive payments based on, changes in the price, value, yield or other~~
1861 ~~characteristic of a tangible or intangible asset or group of assets, or changes in a rate, an index~~
1862 ~~of prices or rates, or other market indicator for an asset or a group of assets.~~

1863 ~~2. In this section, an "option" means an agreement or contract whereby the University~~
 1864 ~~may grant or receive the right to purchase or sell, or pay or receive the value of, any personal~~
 1865 ~~property asset including, without limitation, any agreement or contract that relates to any~~
 1866 ~~security, contract, or agreement.~~

1867 ~~3. In this section, "financial security" means any note, stock, treasury stock, bond,~~
 1868 ~~debenture, evidence of indebtedness, certificate of interest, collateral trust certificate,~~
 1869 ~~preorganization certificate of subscription, transferable share, investment contract, voting trust~~
 1870 ~~certificate, certificate of deposit for a security, fractional undivided interest in oil, gas, or other~~
 1871 ~~mineral rights, any put, call, straddle, option, or privilege on any security, certificate of deposit,~~
 1872 ~~or group or index of securities (including any interest therein or based on the value thereof), or~~
 1873 ~~any put, call, straddle, option, or privilege entered into on a national securities exchange relating~~
 1874 ~~to foreign currency, or in general, any interest or instrument commonly known as a "security,"~~
 1875 ~~or any certificate of interest or participation in, temporary or interim security for, receipt for,~~
 1876 ~~guarantee of, or warrant or right to subscribe to or purchase any of the foregoing.~~

1877 ~~E. The authority as provided in this section as it relates to nongeneral fund reserves and~~
 1878 ~~balances of or held by the University is predicated upon an approved management agreement~~
 1879 ~~between the University and the Commonwealth of Virginia.~~

1880 **Drafting note: The provisions of existing § 23-50.10:01 are stricken here and**
 1881 **incorporated instead into proposed § 23.1-10xx of Chapter 10.**

1882 ~~§ 23-50.11. Tuition, fees and other charges.~~

1883 ~~The board may fix the rates charged the students of the University for tuition, fees and~~
 1884 ~~other necessary charges, and may fix and collect fees and charges for services rendered by or~~
 1885 ~~through any facilities maintained or conducted by the corporation.~~

1886 **Drafting note: The provisions of existing § 23-50.11 are stricken here and**
 1887 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

1888 ~~§ 23-50.12. Degrees.~~

1889 ~~The board of visitors shall have the right to confer all degrees heretofore conferred by~~
1890 ~~the Medical College of Virginia and the Richmond Professional Institute and such other degrees~~
1891 ~~including honorary degrees as it may deem proper.~~

1892 **Drafting note: The provisions of existing § 23-50.12 are stricken here and**
1893 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

1894 ~~§ 23-50.13. Conveyance of real property and interests therein.~~

1895 ~~The board of visitors of Virginia Commonwealth University, with the approval of the~~
1896 ~~Governor first obtained, is hereby authorized to sell and convey any and all real estate or~~
1897 ~~interests therein including easements for roads, streets, sewers, water lines, electric and other~~
1898 ~~utility lines or other purposes to which it has acquired title by gift, devise or purchase. The~~
1899 ~~proceeds derived from any such sale or sales shall be held by the University upon the identical~~
1900 ~~trusts, and subject to the same uses, limitations and conditions, if any, that are expressed in the~~
1901 ~~original instrument under which its title was derived, or if there be no such trusts, uses,~~
1902 ~~limitations or conditions expressed in such original instrument, then such funds shall be applied~~
1903 ~~by the board to such purposes as it may deem best for the University.~~

1904 **Drafting note: The provisions of existing § 23-50.13 are stricken here and**
1905 **incorporated instead into proposed § 23.1-13xx of Chapter 13.**

1906 ~~§ 23-50.14~~ 23.1-xxx. Process or notice.

1907 Process against or notice to the ~~corporation may~~ board shall be served only in the City of
1908 Richmond upon the rector, vice-rector, or secretary of the board; or ~~upon~~ the president of
1909 ~~Virginia Commonwealth~~ the University.

1910 **Drafting note: Technical changes.**

1911 § 23-50.15. Virginia Center on Aging.

1912 ~~Chapter 170 of the Acts of 1978, relating to the Virginia Center on Aging at Virginia~~
1913 ~~Commonwealth University, is incorporated in this Code by this reference.~~

1914 A. The Virginia Center on Aging (the Center) shall be located at the University and shall
1915 be an interdisciplinary study, research, information, and resource facility for the

1916 Commonwealth. The Center shall utilize the full capability of the faculty, staff, libraries,
1917 laboratories, and clinics of the University for the benefit of older Virginians and the expansion
1918 of knowledge related to the aged and the aging process.

1919 B. The Center shall be subject to the supervision and control of the board.

1920 C. The board shall appoint an advisory committee for the Center.

1921 D. The board shall appoint an executive director for the Center who shall:

1922 1. Exercise all powers and perform all duties imposed upon him by law;

1923 2. Perform all duties imposed upon him by the board; and

1924 3. Employ such personnel and contract for such services as may be required to carry out
1925 the purposes of this section.

1926 E. The Center, under the direction of the executive director, shall:

1927 1. Develop and promote programs of continuing education and in-service training for
1928 persons who work with or provide services to the elderly;

1929 2. Develop educational and training programs for persons sixty years of age or older to
1930 assist them in adjusting to the aging process, including retirement planning, health maintenance,
1931 employment opportunities, recreation, and self-development;

1932 3. Foster development of educational courses for students at institutions of higher
1933 education in disciplines other than gerontology to increase their understanding of the process of
1934 aging in humans;

1935 4. Conduct research in the field of gerontology and make the research findings available
1936 to interested public and private agencies;

1937 5. Collect and maintain data on a statewide and regional basis on the characteristics and
1938 conditions of persons over the age of sixty and make such data available to the Virginia
1939 Department for Aging and Rehabilitative Services (DARS) and all other organizations and state
1940 agencies involved in planning and delivering services to persons over the age of sixty;

1941 6. Coordinate the functions and services of the Center with DARS (i) in such a manner
1942 that the knowledge, education, and research programs in the Center constitute a readily available
1943 resource for DARS in planning and service delivery and (ii) to prevent any duplication of effort;

1944 7. Apply for and accept grants from the United States government, state government,
1945 state agencies, or any other source to carry the purposes of this section. The Center is permitted
1946 execute such agreements and comply with such conditions as may be necessary to apply for and
1947 accept such grants;

1948 8. Accept gifts, bequests, and any other thing of value to be used to carry out the
1949 purposes of this section;

1950 9. Receive, administer, and expend all funds and other assistance made available to the
1951 Center to carry out the purposes of this section; and

1952 10. Do all other things necessary or convenient to carrying out the purposes of this
1953 section.

1954 **Drafting note: Acts 1978, c. 170, previously incorporated in existing § 23-50.15 by**
1955 **reference, is instead set out in full in proposed § 23.1-23xxx and technical changes are**
1956 **made.**

1957 § 23-50.15:1. [Expired.]

1958 **Drafting note: Expired pursuant to Acts 1989, c. 257, cl. 3, effective July 1, 1992.**

1959 § 23-50.16. Operations of Medical Center.

1960 A. ~~In enacting this section, the General Assembly recognizes that the ability of Virginia~~
1961 ~~Commonwealth. The~~ University ~~to~~ may provide medical and health sciences education and
1962 related research ~~is dependent upon the maintenance of high quality through~~ teaching hospitals
1963 and related health care and health maintenance facilities, collectively referred to in this section
1964 as the Medical Center, ~~and that the maintenance of a medical center serving such purposes~~
1965 ~~requires specialized management and operation that permit the Medical Center to remain~~
1966 ~~economically viable and to.~~ The Medical Center may participate in cooperative arrangements
1967 reflective of changes in health care delivery.

1968 B. ~~Without limiting the powers provided in §§ 23-50.8 and 23-50.10, Virginia~~
1969 ~~Commonwealth~~ The University may create, own in whole or in part, or otherwise control
1970 corporations, partnerships, insurers, or other entities whose activities ~~will~~ promote the
1971 operations of the Medical Center and its mission, ~~may~~ cooperate or enter into joint ventures
1972 with such entities ~~and government bodies~~; and ~~may~~ enter into contracts in connection ~~therewith~~
1973 with such joint ventures. Without limiting the power of ~~Virginia Commonwealth~~ the University
1974 to issue bonds, notes, guarantees, or other evidence of indebtedness ~~under~~ pursuant to
1975 subsection C in connection with such activities, no such creation, ownership, or control shall
1976 create any responsibility of the University, the Commonwealth, or any ~~other~~ agency ~~thereof of~~
1977 the Commonwealth for the operations or obligations of any entity ~~or~~ and in any way make the
1978 University, the Commonwealth, or any ~~other~~ agency ~~thereof of the Commonwealth~~ responsible
1979 for the payment of debt or other obligations of such entity. All such interests shall be reflected
1980 on the financial statements of the Medical Center.

1981 C. Notwithstanding the provisions of Chapter ~~3 xxx~~ (§ ~~23-14 23.1-xxx~~ et seq.) ~~of this~~
1982 ~~title, Virginia Commonwealth~~ the University may issue bonds, notes, guarantees, or other
1983 evidence of indebtedness without the approval of any other governmental body subject to the
1984 following provisions:

1985 1. Such debt ~~is~~ shall be used solely for the purpose of paying not more than ~~fifty~~ 50
1986 percent of the cost of capital improvements in connection with the operation of the Medical
1987 Center or related issuance costs, reserve funds, and other financing expenses, including interest
1988 during construction or acquisition and for up to one year thereafter;

1989 2. ~~The only~~ No revenues of the University shall be pledged to the payment of such debt
1990 ~~are except~~ those revenues derived from the operation of the Medical Center and related health
1991 care and educational activities, and ~~there are pledged therefor~~ no general fund appropriation and
1992 special Medicaid disproportionate share payments for indigent and medically indigent patients
1993 who are not eligible for the Virginia Medicaid Program shall be pledged to the payment of such
1994 debt;

- 1995 3. Such debt ~~states~~ shall state that it does not constitute a debt of the Commonwealth or a
1996 pledge of the faith and credit of the Commonwealth;
- 1997 4. Such debt ~~is~~ shall not ~~be~~ sold to the public;
- 1998 5. The total principal amount of such debt outstanding at any one time ~~does~~ shall not
1999 exceed ~~twenty five~~ \$25 million ~~dollars~~;
- 2000 6. The Treasury Board ~~has approved~~ shall approve the terms and structure of such debt;
- 2001 7. The purpose, terms, and structure of such debt ~~are~~ shall be promptly communicated to
2002 the Governor and the Chairmen of the House Appropriations and Senate Finance Committees;
2003 and
- 2004 8. All such indebtedness ~~is~~ shall be reflected on the financial statements of the Medical
2005 Center.

2006 Subject to meeting the conditions set forth ~~above~~ in this section, such debt may be in
2007 such form and have such terms as the board ~~of visitors~~ may provide and shall be in all respects
2008 debt of the University for the purposes of §§ ~~23-23~~ 23.1-xxx, ~~23-25~~ 23.1-xxx, and ~~23-26~~ 23.1-
2009 xxx.

2010 **Drafting note: Statements of policy in subsection A are stricken per the Code**
2011 **Commission policy regarding such statements. Technical changes are made.**

2012 § ~~23-50.16:01~~ 23.1-xxx. Virginia Commonwealth University School of Medicine-
2013 Northern Virginia Division; authority to create.

2014 A. The board ~~of visitors of Virginia Commonwealth University~~ is authorized to establish
2015 the Virginia Commonwealth University School of Medicine-Northern Virginia Division;
2016 ~~hereinafter referred to as~~ (the Division). If established, the Division shall be operated with such
2017 areas of program and service emphasis as may be approved by the ~~State~~ Council ~~of Higher~~
2018 Education for Virginia pursuant to subdivision 7 of § ~~23-9.6:1~~ 23.1-xxx.

2019 B. The board ~~of visitors~~ shall have the same powers with respect to the operation of the
2020 Division as are vested in the board regarding ~~Virginia Commonwealth~~ the University ~~pursuant~~
2021 ~~to this chapter~~.