

2112 CHAPTER ~~13~~ 27.

2113 VIRGINIA STATE UNIVERSITY.

2114 **Drafting note: Existing Chapter 13 of Title 23 is logically reorganized as proposed**
2115 **Chapters 13 and 27 of Title 23.1. Existing provisions that apply generally to governing**
2116 **boards of public institutions of higher education are consolidated in proposed Chapter 13.**
2117 **Existing provisions relating to the incorporation, membership and meetings, and powers**
2118 **and duties of the governing board that are unique to the University are retained in**
2119 **proposed Chapter 27.**

2120 ~~§ 23-165.~~

2121 **Drafting note: Repealed by Acts 1964, c. 70.**

2122 ~~§ 23-165.1 23.1-2700. Corporation composed of board of visitors created; style~~
2123 ~~Corporate name; name of the University.~~

2124 ~~A. The corporation composed of the board of visitors of Virginia State College,~~
2125 ~~heretofore established by law, is continued as the~~ board of visitors of Virginia State University
2126 ~~(the board) shall be a corporation~~ under the name and style of "The Visitors of Virginia State
2127 University" ~~in this chapter hereinafter referred to as the board~~ and shall have, in addition to its
2128 other powers, all the corporate powers given to corporations by the provisions of Title 13.1
2129 except those powers that are confined to corporations created pursuant to Title 13.1. The board
2130 shall at all times be under the control of the General Assembly.

2131 B. The institution shall be known as Virginia State University (the University).

2132 C. All laws relating to Virginia State College or the board of visitors of Virginia State
2133 College shall be construed as relating to ~~Virginia State~~ the University or the board, respectively.

2134 **Drafting note: Technical changes are made to conform the language in this section**
2135 **to that of each other baccalaureate public institution of higher education.**

2136 ~~§ 23-165.2. Name of University.~~

2137 ~~The University shall be known as Virginia State University.~~

2138 **Drafting note: Existing § 23-165.2 is stricken and its provisions incorporated into §**
2139 **23.1-2700.**

2140 ~~§ 23-165.3. Transfer of property.~~

2141 ~~All the real estate and personal property now existing and heretofore standing in the~~
2142 ~~name of the Visitors of Virginia State College shall be transferred to and be known and taken as~~
2143 ~~standing in the name, and to be under the control, of the Visitors of Virginia State University.~~
2144 ~~Such real estate and personal property shall be the property of the Commonwealth.~~

2145 **Drafting note: The provisions of existing § 23-165.3 are recommended for repeal as**
2146 **obsolete.**

2147 ~~§ 23-165.4~~ 23.1-2701. Membership. ~~Members of board; appointment; terms; vacancies~~

2148 A. The board shall consist of 15 members appointed by the Governor, of whom at least
2149 three shall be alumni of the ~~university,~~ University and at least 10 shall be residents of ~~Virginia~~
2150 the Commonwealth. ~~All appointments shall be for a term of four years. No member shall serve~~
2151 ~~for more than two consecutive four-year terms. Vacancies shall be filled in the same manner as~~
2152 ~~the original appointments. Appointments to fill vacancies, other than by expiration of a term,~~
2153 ~~shall be for the unexpired terms. The remainder of any term to which a member is appointed to~~
2154 ~~fill a vacancy shall not constitute a term in determining the member's eligibility for~~
2155 ~~reappointment. Of the four additional members appointed to the board on July 1, 2008, the~~
2156 ~~Governor shall appoint two members for an initial term of four years, and two members for an~~
2157 ~~initial term of two years. Thereafter, such members and their successors shall be appointed for a~~
2158 ~~term of four years, in accordance with the provisions of this section.~~

2159 B. ~~The Governor may appoint alumni visitors from a list of qualified persons submitted~~
2160 ~~to him upon the recommendation of the National Alumni Association of Virginia State~~
2161 ~~University on or before July 1 of any year in which the terms of such visitors shall expire. The~~
2162 ~~alumni association shall submit the names of at least three qualified alumni for each such~~
2163 ~~vacaney.~~ The alumni association of the University may submit to the Governor a list of three

2164 nominees for each vacancy on the board of visitors, whether the vacancy occurs by expiration of
2165 a term or otherwise. The Governor may appoint a member from the list of nominees.

2166 ~~C. All appointments shall be subject to the confirmation of the General Assembly.~~
2167 ~~Members shall continue to hold office until their successors have been appointed and have~~
2168 ~~qualified.~~

2169 **Drafting note: Existing provisions relating to the membership of the board of**
2170 **visitors are logically combined in this proposed section, existing provisions relating to the**
2171 **terms and removal of members of the board are stricken and incorporated into proposed §**
2172 **23.1-1300, and technical changes are made to conform the language to that of each other**
2173 **baccalaureate public institution of higher education.**

2174 ~~§ 23-165.5. Eligibility to serve more than two consecutive terms.~~

2175 ~~No person shall be eligible to serve more than two consecutive four year terms, except~~
2176 ~~that a member may be appointed to a term of less than four years immediately prior to or~~
2177 ~~between the four year terms.~~

2178 **Drafting note: The provisions of existing § 23-165.5 are stricken and incorporated**
2179 **into proposed § 23.1-1300.**

2180 ~~§ 23-165.6. Rights, powers and duties of board.~~

2181 ~~The board shall be vested with all the rights and powers conferred by the provisions of~~
2182 ~~this chapter insofar as the same are not inconsistent with the laws of the Commonwealth.~~

2183 ~~The board shall control and expend the funds of the University and any appropriation~~
2184 ~~hereafter provided, and shall make all needful rules and regulations concerning the University,~~
2185 ~~appoint the president, who shall be its chief executive officer, and all professors, teachers and~~
2186 ~~agents, and fix their salaries, and generally direct the affairs of the University.~~

2187 **Drafting note: Certain board duties set forth in existing § 23-165.6 are stricken and**
2188 **incorporated into proposed § 23.1-1301. Board duties related to appointing of professors,**
2189 **teachers, and agents and generally directing the affairs of the University are stricken here**
2190 **and incorporated instead into proposed § 23.1-2702.**

2191 ~~§ 23-165.7. Tuition, fees and charges.~~

2192 ~~The board may fix the rates charged the students of the University for tuition, fees and~~
2193 ~~other necessary charges.~~

2194 **Drafting note: The provisions of existing § 23-165.7 are stricken and incorporated**
2195 **into proposed § 23.1-1301.**

2196 ~~§ 23-165.8 23.1-2702. Degrees Powers and duties.~~

2197 ~~A. The board shall appoint all professors, teachers, and agents, fix their salaries, and~~
2198 ~~generally direct the affairs of the University.~~

2199 ~~B. The board shall have the right to may~~ confer degrees.

2200 **Drafting note: Subsection A incorporates board duties set forth in existing § 23-**
2201 **165.6. Subsection B incorporates the board's power to confer degrees set forth in existing §**
2202 **23-165.8. Technical changes are made.**

2203 ~~§ 23-165.9 23.1-2703. Curriculum.~~

2204 The curriculum of ~~Virginia State the~~ University shall ~~embrace branches of learning as~~
2205 ~~relate to include~~ agriculture, ~~home economics, commerce, industrial~~ education ~~and technology,~~
2206 the liberal arts and sciences, ~~teacher education, nursing education,~~ and ~~military science~~
2207 ~~engineering.~~

2208 **Drafting note: Obsolete branches of learning are recommended for repeal.**
2209 **Technical changes are made.**

2210 ~~§ 23-165.10. School of agriculture to be continued.~~

2211 ~~The school of agriculture at Virginia State University shall be continued. The State~~
2212 ~~Council of Higher Education and the institutions of higher education concerned shall execute~~
2213 ~~such administrative actions as are necessary to carry out the purposes of this section.~~

2214 **Drafting note: The provisions of existing § 23-165.10 are recommended for repeal**
2215 **as obsolete.**

2216 ~~§ 23-165.11 23.1-2704. Cooperative Extension Service Program recognized; funding~~
2217 ~~authority; unified plan; reports.~~

2218 As provided in Article ~~1.1 2~~ (§ ~~23-132.1~~ 23.1-2608 et seq.) of Chapter ~~11 of Title 23 26~~
2219 and subject to the federally required plan, the Cooperative Extension Service ~~Program~~ within
2220 ~~Virginia State the~~ University, ~~hereinafter referred to as "~~ (the Service ~~Program,"~~) is hereby
2221 recognized. The ~~Virginia State~~ University is ~~hereby~~ empowered to accept grants, gifts, or
2222 donations for the ~~Cooperative Extension~~ Service ~~Program~~ from the local governing bodies ~~of the~~
2223 ~~several counties and cities~~ of the Commonwealth, other public or private agencies, and
2224 individual donors. The ~~Cooperative Extension~~ Service ~~Program~~ shall be operated cooperatively
2225 by Virginia Polytechnic Institute and State University and ~~Virginia State the~~ University, with
2226 ~~agreed-upon~~ agreed-upon areas of program and service emphasis as set forth in the unified plan
2227 submitted by the two institutions to the U.S. Department of Agriculture. The ~~Virginia State~~
2228 University shall file such reports on the activities of the Service ~~Program~~ as may be required by
2229 law or requested by the Governor, and the two institutions shall file such reports on the unified
2230 plan as may be required by law or requested by the Governor.

2231 **Drafting note: Technical changes.**

2232 ~~§ 23-166. University a body corporate under control of board.~~

2233 ~~The institution shall continue to be a body corporate under the name and style of the~~
2234 ~~"Virginia State University." It shall be under the management, supervision and control of the~~
2235 ~~board.~~

2236 **Drafting note: The provisions of existing § 23-166 are stricken and incorporated**
2237 **into § 23.1-2700.**

2238 ~~§ 23-167. Further powers and duties of board.~~

2239 ~~The powers and duties of the board shall be to direct and do all things not inconsistent~~
2240 ~~with the laws of this Commonwealth which to the board shall seem best adapted to accomplish~~
2241 ~~the legitimate objects of the University; to designate depositories, provide for the proper~~
2242 ~~bonding of financial officers and depositories, and provide for the disbursing of the funds of the~~
2243 ~~University consistent with the laws of the Commonwealth; and to grant to such as excel in any~~
2244 ~~field of knowledge or complete a prescribed course of study, such certificates, diplomas or~~

2245 ~~degrees as shall be deemed expedient and proper. All of which several functions they shall be~~
2246 ~~free to exercise by rules, bylaws, resolutions, orders, instructions, or otherwise.~~

2247 **Drafting note: Certain powers set forth in § 23-167 are stricken and incorporated**
2248 **into proposed § 23.1-1301. The power to confer certificates, diplomas, and degrees is**
2249 **stricken as duplicative of subsection B of proposed § 23.1-2702.**

2250 ~~§ 23-168, 23-169.~~

2251 **Drafting note: Repealed by Acts 1979, c. 147.**

2252 ~~§ 23-170, 23.1-2705. Bequests and gifts. Gifts, grants, devises, and bequests;~~
2253 ~~governmental aid.~~

2254 The board ~~shall have power to~~ may take, hold, receive, and enjoy any gift, grant, devise,
2255 or bequest to the ~~Visitors of Virginia State University board~~ or to or for the benefit of the
2256 University. Any such gift, grant, devise, or bequest shall be used for the purposes designated by
2257 the donor, ~~if any,~~ or, if no purposes are so designated, for the general purposes of the board.

2258 The University shall receive the governmental aid designated in §§ ~~23-136 and 23-137~~
2259 ~~23.1-2637 and 23.1-2638.~~

2260 **Drafting note: Technical changes.**

2261 ~~§ 23-171, 23-172.~~

2262 **Drafting note: Repealed by Acts 1964, c. 70.**

2263 ~~§ 23-173.~~

2264 **Drafting note: Repealed by Acts 1979, c. 147.**

2265 ~~§ 23-174. Control by General Assembly.~~

2266 ~~The University, and all its property and funds, shall, at all times and in all things, be~~
2267 ~~under the control of the General Assembly.~~

2268 **Drafting note: Existing § 23-174 is stricken and incorporated into proposed § 23.1-**
2269 **2700.**

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