

# VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

## CHAPTER 257

*An Act to amend and reenact §§ 2.2-2502, 23-9.5, 23-14, 23-31, 23-182 through 23-186, 23-188, 23-189, and 23-191 of the Code of Virginia, relating to Longwood College.*

[H 938]

Approved March 22, 2002

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-2502, 23-9.5, 23-14, 23-31, 23-182 through 23-186, 23-188, 23-189, and 23-191 of the Code of Virginia are amended and reenacted as follows:**

§ 2.2-2502. Executive director; staff support; location.

The Commission may appoint an executive director, who may employ such staff as necessary to enable the Commission to perform its duties as set forth in this article. The Commission may determine the duties of such staff and fix salaries and compensation from such funds as may be appropriated or received. Regional resource personnel from the Department of Education shall also provide staff support to the Commission. The Commission's offices shall be housed at Longwood ~~College~~ *University*. The Commission shall be assisted by the University of Virginia Center for Public Service.

§ 23-9.5. Coordinating council for state-supported institutions of higher education.

The Council shall constitute a coordinating council for the College of William and Mary in Virginia, George Mason University, Longwood ~~College~~ *University*, James Madison University, Mary Washington College, Norfolk State University, Old Dominion University, Radford University, the University of Virginia, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, Virginia State University, Christopher Newport University and the Virginia Community College System, branches, divisions or colleges of any of the foregoing, and such other state-supported institutions of higher education as may in the future be established.

§ 23-14. Certain educational institutions declared governmental instrumentalities; powers vested in majority of members of board.

The College of William and Mary in Virginia, at Williamsburg; the rector and visitors of Christopher Newport University, at Newport News; Longwood ~~College~~ *University*, at Farmville; the Mary Washington College, at Fredericksburg; George Mason University, at Fairfax; the James Madison University, at Harrisonburg; Old Dominion University, at Norfolk; the State Board for Community Colleges, at Richmond; the Virginia Commonwealth University, at Richmond; the Radford University, at Radford; the Roanoke Higher Education Authority and Center; the rector and visitors of the University of Virginia, at Charlottesville; the University of Virginia's College at Wise; the Virginia Military Institute, at Lexington; the Virginia Polytechnic Institute and State University, at Blacksburg; the Virginia Schools for the Deaf and the Blind; the Virginia State University, at Petersburg; Norfolk State University, at Norfolk; the Woodrow Wilson Rehabilitation Center, at Fishersville; the Medical College of Hampton Roads; and the Southwest Virginia Higher Education Center are hereby classified as educational institutions and are declared to be public bodies and constituted as governmental instrumentalities for the dissemination of education. The powers of every such institution derived directly or indirectly from this chapter shall be vested in and exercised by a majority of the members of its board, and a majority of such board shall be a quorum for the transaction of any business authorized by this chapter. Wherever the word "board" is used in this chapter, it shall be deemed to include the members of a governing body designated by another title.

§ 23-31. Unfunded scholarships.

A. The corporate authorities of the University of Virginia, the University of Virginia's College at Wise, Virginia Military Institute, Virginia Polytechnic Institute and State University, The College of William and Mary, Christopher Newport University, George Mason University, Longwood ~~College~~ *University*, Mary Washington College, James Madison University, Virginia Commonwealth University, Radford University, Old Dominion University, the Virginia Community College System, Virginia State University, Norfolk State University, and Richard Bland College may establish scholarships, hereafter to be designated as unfunded scholarships, in their respective institutions under such regulations and conditions as they may prescribe, but subject to the following limitations and restrictions:

1. All such scholarships shall be applied exclusively to the remission, in whole or in part, of tuition and required fees.

2. The number of such scholarships annually awarded by an institution to undergraduate Virginia students shall not exceed twenty percent of the enrollment of Virginia students in undergraduate studies in the institution during the preceding academic year. The total value of all such scholarships annually awarded by an institution to undergraduate Virginia students shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by twenty

percent of the enrollment of Virginia students in undergraduate studies in the institution during the preceding academic year. The number of such scholarships annually awarded by an institution to non-Virginia undergraduate students shall not exceed twenty percent of the enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year. The total value of all such scholarships annually awarded by an institution to non-Virginia undergraduate students shall not exceed in any year the amount of the applicable, per capita out-of-state differential paid by non-Virginia undergraduate students for tuition and required fees multiplied by twenty percent of the enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year. All such scholarships awarded to undergraduate students shall be awarded only to undergraduate students in the first four years of undergraduate work and shall be awarded and renewed on a selective basis to students of character and ability who are in need of financial assistance. For purposes of determining need under this section, a nationally recognized needs-analysis system approved by the State Council of Higher Education shall be used.

3. The number of such scholarships annually awarded by an institution to graduate students or teachers serving as clinical faculty pursuant to § 22.1-290.1 shall not exceed the total number of graduate students who are employed as teaching or research assistants with significant academic responsibilities and who are paid a stipend of at least \$2,000 in the particular academic year and such clinical faculty. The total value of all such scholarships annually awarded to such graduate students and clinical faculty shall not exceed in any year the amount arrived at by multiplying the applicable figure for graduate tuition and required fees by the number of graduate students so employed and paid and such clinical faculty. All graduate scholarships shall be awarded and renewed on a selective basis to such graduate students and clinical faculty of character and ability.

4. A scholarship awarded under this program shall entitle the holder to the following award, as appropriate:

a. A Virginia undergraduate student may receive an annual remission of an amount not to exceed the cost of tuition and fees required to be paid by the student;

b. A non-Virginia undergraduate student may receive an annual remission not to exceed the amount of the out-of-state differential required to be paid by the student for tuition and fees;

c. A qualified graduate student may receive an annual remission of an amount not to exceed the cost of tuition and fees required to be paid by the student;

d. A clinical faculty member may receive an award as determined by the governing body of the institution.

5. Notwithstanding the limitations on the awards of unfunded scholarships to undergraduate students pursuant to subdivisions A 2 and A 4 of this section, an institution may award additional unfunded scholarships to visiting foreign exchange students; however, the number of such awards in any fiscal year shall not exceed one quarter of one percent of the total institutional headcount enrollment.

B. No institution named herein shall remit any tuition or required fees or any special fees or charges to any student at such institution except as authorized in this section. Each institution named herein shall make an annual report to the State Council of Higher Education showing the number and value of scholarships awarded under this section according to each student classification.

C. Nothing in this section shall be construed to prevent or limit in any way the admission of certain students, known as state cadets, at the Virginia Military Institute or to affect the remission of tuition or required fees or other charges to such state cadets as permitted under existing law.

D. Nothing in this section shall be construed to affect or limit in any way the control of the governing bodies of the respective institutions over any other scholarships; or over any gifts or donations made to such institutions for scholarships or other special purposes; or over any funds provided by the federal government or otherwise for the purpose of career and technical education or vocational rehabilitation in this Commonwealth; or over any funds derived from endowment or appropriations from the federal government for instruction in agriculture and mechanic arts in land grant colleges.

E. Nothing in this section shall be construed to prevent the governing bodies of the respective institutions from fixing a reasonably lower tuition charge for Virginia students than for non-Virginia students.

F. Nothing in this section or any other provision of law shall prohibit the awarding of ten full tuition unfunded scholarships each year by Old Dominion University under the terms and conditions provided for in a deed conveying certain property in Norfolk known as the Old Larchmont School made July 5, 1930, between the City of Norfolk and The College of William and Mary.

§ 23-182. Board of visitors established as corporation.

There is hereby established a corporation composed of the board of visitors of Longwood ~~College~~ University under the style of "The Visitors of Longwood ~~College~~ University," hereinafter referred to in this chapter as board.

§ 23-183. Name.

The ~~College~~ University shall be known as Longwood ~~College~~ University.

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

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

§ 23-185. Composition of board; appointment and terms of visitors generally; vacancies; confirmation.

(a) A. The board shall consist of eleven members who shall be appointed by the Governor.

(b) B. The Governor shall appoint the eleven appointive members of the board for terms of four years each. Members shall be eligible for service for two consecutive terms of four years, exclusive of that portion of any unexpired term. Successors to the members so appointed shall be appointed to serve for terms of four years each. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. By July 1, 1985, of the persons so appointed two shall be alumni of the ~~College~~ *University*, and two may be nonresidents of the Commonwealth, the remaining number to be selected from the Commonwealth at large.

(c) 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 have qualified.

(d) D. Notwithstanding any provision of law prohibiting appointments of members of board of visitors, trustees, or similar designated officials of institutions of higher learning to more than two successive terms, or, to any provision of law establishing the term of office, and in order that no more than three scheduled vacancies occur in any year in the board of visitors of Longwood ~~College~~ *University*, the Governor is empowered to, (4 i) extend the term of two of the present incumbents whose terms expire June 30, 1974, and who would not otherwise be eligible for another term, by reappointment for a period of one year, and (2 ii) extend the term of three of the present incumbents whose terms expire June 30, 1976, by reappointment for a period of one year.

§ 23-186. Appointment of visitors from alumni.

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

(b) B. Every list shall contain at least three names for each vacancy to be filled.

(c) C. The Governor shall not be limited in his appointments to the persons so nominated.

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

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

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

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

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

§ 23-191. Curriculum.

The curriculum of Longwood ~~College~~ *University* shall embrace such branches of learning as relate to teaching in the public free schools of Virginia, without excluding other studies in the arts and sciences.