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HOUSE BILL NO. 605**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Education
on January 30, 2002)

(Patron Prior to Substitute—Delegate Marshall, D. W.)

A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 16.4, consisting of sections numbered 23-231.19 through 23-231.23, relating to the Institute for Advanced Learning and Research.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 23 a chapter numbered 16.4, consisting of sections numbered 23-231.19 through 23-231.23, as follows:

§ 23-231.19. Institute for Advanced Learning and Research Created; responsibilities.

A. With such funds as are appropriated or made available for this purpose, there is hereby created and constituted, in Southside Virginia, a political subdivision of the Commonwealth to be known as the Institute for Advanced Learning and Research, hereinafter referred to as the "Institute." The Institute shall be founded by Averett University, Danville Community College, and Virginia Polytechnic Institute and State University.

B. The Institute shall:

1. Seek to diversify the Dan River Region's economy by engaging the resources of Virginia Polytechnic Institute and State University in partnership with Danville Community College and Averett University and public and private bodies and organizations of the region and state.

2. Serve as a catalyst for economic and community transformation by leveraging and brokering resources that support economic diversity for the region, particularly within the network economy.

3. Provide a site for the development of the technology and trained workforce necessary for new economic enterprises to flourish in Southside Virginia through the teaching, research, outreach, and technology available from its partner institutions.

4. Expand access to higher education in Southside Virginia by providing for adult and continuing education, workforce training and development, and degree-granting programs, including undergraduate, graduate and professional programs, through partnerships with the Commonwealth's private and public institutions of higher education, the City of Danville, County of Pittsylvania, the public schools, and the public and private sectors in the region.

5. Serve as a resource and hub for network-related initiatives in education, at all levels, and in economic development activities.

6. Assist in regional economic and community development efforts by housing and encouraging research and product-related activities and encouraging high technology economic development in the region.

7. Encourage and coordinate, as appropriate, the development and delivery of programs offered by those educational institutions serving the region.

8. Serve as a resource and referral center by maintaining and disseminating information on existing educational programs, research, and university outreach resources.

§ 23-231.20. Board of trustees; membership; appointments; terms; compensation; officers.

A. The Institute shall be governed by a nine-member Board of Trustees consisting of the presidents or their designees of Averett University, Danville Community College, and Virginia Polytechnic Institute and State University; the chairman or his designee of the Board of the Future of the Piedmont Foundation; a resident of the City of Danville to be appointed by the Danville City Council; a resident of Pittsylvania County to be appointed by the Pittsylvania County Board of Supervisors; and three citizens representing business and industry and residing in Southside Virginia, one to be appointed by the Governor, one to be appointed by the Senate Committee on Privileges and Elections, and one to be appointed by the Speaker of the House of Delegates.

B. The presidents or their designees of the named institutions of higher education and the chairman or his designee of the Board of the Future of the Piedmont Foundation shall serve on the Board until the expiration of their terms of office or until their successors shall qualify. Of the initial citizen appointees, the City of Danville appointee shall serve for one year, the Pittsylvania County appointee shall serve for one year, the Governor's appointee shall serve for two years, the Senate Committee on Privileges and Elections' appointee shall serve for two years, and the appointee of the Speaker of the House of Delegates shall serve for three years. Thereafter, all such citizen appointments shall be for terms of three years, except that appointments to fill vacancies shall be for the unexpired terms. No citizen member of the Board shall be eligible to serve for or during more than two successive three-year terms; however, after expiration of a term of less than three years, or after the remainder of a

60 *three-year term to which a member was appointed to fill a vacancy, a member may serve two additional*
61 *three-year terms, if so appointed.*

62 *C. The Board shall elect a chairman and vice-chairman from among its members and may establish*
63 *bylaws as necessary.*

64 *§ 23-231.21. Powers and duties of Board; contracts for educational services.*

65 *A. The Board of Trustees shall have, in addition to its other powers, all the corporate powers given*
66 *to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its*
67 *provisions, the law is confined to corporations created under that title. The Board shall also have the*
68 *power to accept, execute, and administer any trust in which it may have an interest under the terms of*
69 *the instrument creating the trust.*

70 *B. The Board shall have the authority to enter into and administer agreements with institutions of*
71 *higher education in the Commonwealth to provide continuing education and instructional programs at*
72 *the Institute through both traditional and electronic modes of delivery.*

73 *§ 23-231.22. Executive director; responsibilities; additional staff support.*

74 *The Board may appoint an executive director for the Institute, who may be an employee of one of*
75 *the founding institutions of higher education. The executive director shall supervise and manage the*
76 *Institute and shall prepare and submit, upon direction and approval by the Board, all budgets and*
77 *requests for appropriations. During the initial development and implementation phase of the Institute,*
78 *additional staff support for the functions of the Institute may be provided upon agreement by the*
79 *founding institutions and local governments.*

80 *§ 23-231.23. Gifts, grants, and donations; cooperation with other agencies.*

81 *The Board may, on behalf of the Institute, apply for, accept, and expend gifts, grants, or donations*
82 *from public or private sources to enable it to carry out the purposes of this chapter.*

83 *The Board may also request and accept the cooperation of agencies of the Commonwealth or the*
84 *local governments located in Southside Virginia in the performance of its duties.*