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HOUSE BILL NO. 1978

Offered January 9, 2013

Prefiled January 9, 2013

A BILL to amend and reenact §§ 23-70 and 23-74 of the Code of Virginia and the third enactment of Chapter 655 of the Acts of Assembly of 2003 and to amend the Code of Virginia by adding a section numbered 23-70.1, relating to the University of Virginia Board of Visitors; composition and quorum.

Patron—Toscano

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-70 and 23-74 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 23-70.1 as follows:

§ 23-70. Appointment of visitors; number and terms of office.

A. The board of visitors is to consist of 17 visitors appointed by the Governor, of whom (i) at least 12 shall be appointed from the Commonwealth at large, (ii) at least 12 shall be alumni of the University of Virginia, and (iii) at least one shall be a physician with administrative and clinical experience in an academic medical center, and (iv) at least one shall have administrative experience at an institution of higher education or have experience as a professor in the study of higher education.

B. All appointments on or after July 1, 2008, shall be for terms of four years and commence July 1 of the first year of appointment, except that appointments to fill vacancies shall be made for the unexpired terms. Members shall complete their service on June 30 of the year in which their respective terms expire, including appointments made prior to July 1, 2008. All appointments for full terms, as well as to fill vacancies, shall be made by the Governor subject to confirmation by the Senate and the House of Delegates.

§ 23-70.1. Appointment of a nonvoting advisory faculty member to the board of visitors.

A. The board of visitors shall appoint a faculty representative to serve in a nonvoting advisory capacity. Such faculty representative shall be permitted to serve for so long as he is currently employed in a full-time teaching position at the University of Virginia. Such appointment shall be made for a term of two years, except that the appointment to fill a vacancy shall be for the unexpired term. The faculty representative shall serve no more than two full terms.

B. The faculty representative shall not be construed to be a member of the board of visitors for any purpose, including establishing a quorum or making any official decision.

C. Nothing in this section shall preclude the board of visitors from appointing additional nonvoting advisory faculty representatives to the board pursuant to § 23-9.2:4.1.

§ 23-74. Meetings of board of visitors; quorum; rector and vice-rector; secretary.

The board of visitors shall meet at the University once a year, and at such other times as they shall determine, the days of meeting to be fixed by them. ~~Five~~ A majority of members shall constitute a quorum.

The board of visitors shall appoint, from among its members, a rector to preside at their meetings and a vice-rector to preside at their meetings in the absence of the rector. The rector and the vice-rector shall also perform such additional duties as the board may prescribe. The terms of the rector and vice-rector shall be for two years, commencing on July 1 of the year of appointment and expiring on June 30 of the year of the expiration of their terms.

The board shall also appoint a secretary for such term and with such duties as the board shall prescribe.

The board may also appoint a substitute pro tempore, as provided in its bylaws, to preside in the absence of the rector or the vice-rector.

Vacancies in the office of rector, vice-rector or secretary may be filled by the board for the unexpired term, as provided in the Board's bylaws.

Special meetings of the board may be called by the rector or any three members. In either of such cases, notice of the time of meeting shall be given by the secretary to every member.

2. That the third enactment of Chapter 655 of the Acts of Assembly of 2003 is amended and reenacted as follows:

3. That, upon passage of this act, the board of visitors of the University of Virginia shall appoint a vice-rector and shall provide, in its bylaws, that a vice-rector shall be appointed every two years and shall automatically succeed the rector, upon expiration of the rector's term.

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