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## SENATE BILL NO. 949

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules  
on February 2, 2017)

(Patron Prior to Substitute—Senator Ruff)

A BILL to amend and reenact §§ 23.1-3120, 23.1-3121, and 23.1-3122 of the Code of Virginia, relating to the Southern Virginia Higher Education Center; board of trustees; membership and powers and duties.

Be it enacted by the General Assembly of Virginia:

1. That §§ 23.1-3120, 23.1-3121, and 23.1-3122 of the Code of Virginia are amended and reenacted as follows:

**§ 23.1-3120. Southern Virginia Higher Education Center established; duties.**

The Southern Virginia Higher Education Center (the Center) is established as an educational institution in the Commonwealth. The Center shall:

1. Encourage the expansion of higher education, including adult and continuing education and associate, undergraduate, and graduate degree programs in the region and foster partnerships between the public and private sectors to enhance higher education in the Southside region;

2. ~~Coordinate~~ Encourage the development and delivery of continuing education programs ~~offered by~~ and workforce training in collaboration with the educational institutions serving the region, with a focus on critical shortage areas and the needs of industry;

3. Facilitate the delivery of teacher training programs leading to licensure and graduate degrees;

4. Serve as a resource and referral center by maintaining and disseminating information on existing educational programs and resources; and

5. Develop, in coordination with the Council, specific goals for higher education in Southside Virginia.

**§ 23.1-3121. Board of trustees.**

A. The Center shall be governed by a board of trustees (the board) consisting of 15 members as follows: two members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate to be appointed by the Senate Committee on Rules; the Director of the Council or his designee; the Chancellor of the Virginia Community College System or his designee; the presidents of Longwood University, Danville Community College, and Southside Virginia Community College or their designees; ~~the division superintendent of Halifax County Public Schools;~~ and ~~six~~ seven nonlegislative citizen members to be appointed by the Governor, including two members of the Southern Virginia Higher Education Foundation, ~~one superintendent of a local school division located in the Southside region,~~ and four representatives of business and industry. The Speaker of the House of Delegates may appoint an alternate for one delegate appointed to the board. The alternate shall serve a term coincident with the term of the delegate and has the power to act in his absence. The Senate Committee on Rules may appoint an alternate for the senator appointed to the board. The alternate shall serve a term coincident with the term of the senator and may act in his absence.

Nonlegislative citizen members of the board shall be chosen from among residents of the Southside region of the Commonwealth and shall be citizens of the Commonwealth. *However, an individual who does not reside in the Southside region may serve as a representative of business and industry if he either (i) owns a business headquartered or otherwise operating in the Southside region or (ii) serves as a member of the board of directors or senior management of a business headquartered or otherwise operating in the Southside region.*

B. Legislative members and the representatives of the Council, the System, and the named institutions of higher education shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member is eligible to serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term.

C. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the board shall be compensated as provided in § 30-19.12. All members of the board shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Center as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of

60 compensation and expenses of the members shall be provided by the Center.

61 D. The board shall elect a chairman and a vice-chairman from among its membership.

62 **§ 23.1-3122. Powers of the board.**

63 A. The board has, in addition to its other powers, all the corporate powers given to corporations by  
64 the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, it is  
65 confined to corporations created under that title.

66 B. The board may accept, execute, and administer any trust in which it may have an interest under  
67 the terms of the instrument creating the trust.

68 C. The board may establish and administer agreements with public institutions of higher education  
69 and private institutions of higher education for the provision of associate, undergraduate, and graduate  
70 degree instructional programs at the Center. *The board shall seek opportunities to collaborate with local*  
71 *comprehensive community colleges to meet specialized noncredit workforce training needs identified by*  
72 *industry. However, if local community colleges are unable to meet identified industry needs, then the*  
73 *board may seek to collaborate with other education providers or may provide Center-delivered*  
74 *specialized noncredit workforce training independent of local comprehensive community colleges.*

75 D. The board, on behalf of the Center, may apply for, accept, and expend gifts, grants, or donations  
76 from public or private sources to enable it to carry out its purposes.

77 **2. That the provisions of this act shall not affect members of the board of trustees of the Southern**  
78 **Virginia Higher Education Center whose terms have not expired as of July 1, 2017. However, the**  
79 **division superintendent of Halifax County Public Schools shall continue to serve until the**  
80 **Governor appoints a public school superintendent from the Southside region of the**  
81 **Commonwealth. Such individual shall be eligible for such appointment.**