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HOUSE BILL NO. 1255

Offered January 22, 1996

A *BILL to amend and reenact § 23-9.2:3 of the Code of Virginia, relating to powers of governing bodies of public institutions of higher education.*

Patrons—O'Brien; Senator: Newman

Referred to Committee on Education**Be it enacted by the General Assembly of Virginia:****1. That § 23-9.2:3 of the Code of Virginia is amended and reenacted as follows:**

§ 23-9.2:3. Power of governing body of educational institution to establish rules and regulations; offenses occurring on property of institution; state direct student financial assistance.

A. In addition to the powers now enjoyed by it, the board of visitors or other governing body of every educational institution shall have the power:

1. To establish rules and regulations for the acceptance of students except that individuals who have been convicted of violating the federal requirement to register for the selective service shall not be eligible to receive any state direct student assistance; to establish rules and regulations for the conduct of students while attending such institution; and to establish rules and regulations for the dismissal of students who fail or refuse to abide by such rules and regulations.

2. To establish rules and regulations for the employment of professors, teachers, instructors and all other employees and provide for their dismissal for failure to abide by such rules and regulations.

3. To provide parking and traffic rules and regulations on property owned by such institution.

4. To establish guidelines for the initiation or induction into any social fraternity or sorority in accordance with § 18.2-56.

B. Upon receipt of an appropriate resolution of the board of visitors or other governing body of an educational institution, the governing body of a political subdivision which is contiguous to the institution shall enforce state statutes and local ordinances with respect to offenses occurring on the property of the institution.

C. The governing bodies of the public institutions of higher education shall assist the State Council of Higher Education and the Virginia Student Assistance Authorities in enforcing the provisions related to eligibility for financial aid.

D. *In addition to the powers enumerated above and any other statutory authority, the board of visitors or other governing body of every public institution of higher education, whether two-year or four-year, shall require every foundation or other nonprofit, tax-exempt organization maintaining an association with the public institution of higher education for purposes of soliciting or otherwise raising funds, in compliance with state and federal law relating to nonprofit, tax-exempt organizations, to obtain an annual financial audit from a certified public accountant as a condition of continuing its association with the public institution.*

For the purposes of this subsection, "association with the public institution" means any use of the institution's name, logo, mascot, acronym, sobriquet, memorabilia, history, specific site, campus, offices, officials, administration, faculty, staff, student body, alumni, athletic teams, intramural organizations, musical organizations, educational or social organizations, academic departments, programs or schools, or other relationship or direct or indirect reference to the institution.

INTRODUCED

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