

# VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

## CHAPTER 55

*An Act to amend and reenact §§ 23-231.15, 23-231.16, and 23-231.17 of the Code of Virginia, relating to the Roanoke Higher Education Authority.*

[H 827]

Approved March 11, 1998

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

**1. That §§ 23-231.15, 23-231.16, and 23-231.17 of the Code of Virginia are amended and reenacted as follows:**

§ 23-231.15. Board of Trustees; appointments; terms; compensation; officers.

A. The Authority shall be governed by a Board of Trustees consisting of ~~seventeen~~ *twenty-one* members as follows: the Director of the State Council of Higher Education for Virginia or his designee; the Chancellor of the Virginia Community College System or his designee; and the presidents or their designees of Averett College, Bluefield College, *the College of Health Sciences, Ferrum College, Hollins College, Mary Baldwin College, Old Dominion University, Radford University, Roanoke College, University of Virginia, Virginia Polytechnic Institute and State University, and Virginia Western Community College*; five citizen members ~~from the Roanoke Valley~~ representing business and industry in the ~~area~~ *Roanoke Valley* to be appointed by the Governor; and two members of the General Assembly, one to be appointed from the Senate by the Senate Committee on Privileges and Elections and one to be appointed from the House of Delegates by the Speaker of the House. Citizen members of the Board shall be residents of the Roanoke ~~Valley~~ *region*.

B. The legislative members, the Director of the State Council of Higher Education for Virginia, and the Chancellor of the Virginia Community College System and the presidents or their designees of the named institutions of higher education shall serve on the Board until the expiration of their terms of office or until their successors shall qualify. Of the five citizen members to be appointed in 1997, two shall be appointed for three-year terms, and three shall be appointed for four-year terms. Thereafter, all such citizen members shall be appointed for terms of four 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 four-year terms; however, after the expiration of a term of three years or less, or after the expiration of the remainder of a term to which appointed to fill a vacancy, two additional four-year terms may be served by such member, if appointed thereto.

C. Legislative members of the Board shall be compensated as specified in § 14.1-18, and all members of the Board shall be reimbursed for their actual expenses incurred in the performance of their duties in the work of the Authority.

D. The Board shall elect a chairman and a vice chairman from among its members and may establish bylaws as necessary.

§ 23-231.16. Powers and duties of Board of Trustees.

A. The Board of Trustees shall have, in addition to such other powers, all the corporate powers given to corporations by the provisions of Title 13.1, except in those cases where, by the express terms of its provisions, this law is confined to corporations created under that title. The Board shall have the power to issue bonds upon the advice of bond counsel and a financial institution with expertise in bonds and investments. Bonds issued under the provisions of this section shall not be deemed to constitute a debt or a pledge of the faith and credit of the Commonwealth or of any political subdivision thereof other than the Authority. The Board may accept, execute, and administer any trust in which it may have an interest under the terms of any instrument creating the trust.

B. The Board shall have the authority to lease property or to hold any property for which it may acquire the title and to dispose of such property in a manner which will benefit the Authority. The Board may also enter into agreements with public and private institutions of higher education in the Commonwealth to provide adult education, continuing education, undergraduate level education, and graduate level instructional programs. *The Board may enter into agreements with local school boards and other entities to provide such programs as it deems necessary and appropriate to carry out the purposes of the Authority.*

C. The Board may establish, with such funds as are appropriated for this purpose or made available to it, the Roanoke Higher Education Center.

§ 23-231.17. Executive director; staff.

A. From funds available for this purpose, the Board may appoint an executive director for the Roanoke Higher Education Center who shall supervise and manage the Center and shall prepare and submit, upon direction and approval by the Board, all requests for appropriations. The Executive Director of the Center shall be authorized to employ such staff as necessary to enable the Center to

perform its duties as set forth in the bylaws of the Board of Trustees and this chapter. The Board may determine the duties of the staff and fix salaries and compensation from such funds as may be appropriated or received.

B. Additional staff support for the functions of the Center may be provided upon agreement by Averett College, Bluefield College, Mary Baldwin College, Old Dominion University, Radford University, University of Virginia, Virginia Polytechnic Institute and State University, and Virginia Western Community College *the participating institutions*.