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SENATE BILL NO. 1086

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education
on February 18, 2013)

(Patron Prior to Substitute—Senator Deeds)

A *BILL to amend and reenact §§ 23-9.2:4.1, 23-9.2:5, and 23-74 of the Code of Virginia, relating to boards of public institutions of higher education; composition and quorum.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-9.2:4.1, 23-9.2:5, and 23-74 of the Code of Virginia are amended and reenacted as follows:

§ 23-9.2:4.1. Faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.

A. The State Board for Community Colleges, local community college boards, and the boards of visitors of any four-year *state public* institution of higher education ~~may~~ *shall* appoint one or more nonvoting, advisory faculty representatives to their respective boards. ~~In the case of local community college boards and boards of visitors, the~~ *The* representatives appointed by the boards shall be chosen from individuals elected by ~~the faculty or the institution's faculty senate or other equivalent group of the relevant institution. In the case of the State Board for Community Colleges, representatives appointed by the Board shall be chosen from individuals elected by the Chancellor's Faculty Advisory Committee.~~ Such representatives shall be appointed to serve terms of not less than one 12-month period, which shall be coterminous with the institution's fiscal year, or for such terms as may be mutually agreed to ~~by the State Board for Community Colleges and the Chancellor's Faculty Advisory Committee, or by the local community college board or the board of visitors, as the case may be, and the institution's faculty senate or other equivalent group.~~

B. Nothing in this section shall prohibit the State Board for Community Colleges, local community college boards, or any boards of visitors from excluding such representatives from discussions of faculty grievances, faculty or staff disciplinary matters, or salaries, or other matters, at the discretion of the relevant board.

§ 23-9.2:5. Student representatives to boards of visitors.

A. The board of visitors of any four-year *state public* institution of higher education shall appoint one or more students as nonvoting, advisory representatives. Such representatives shall be ~~appointed under such circumstances chosen from individuals elected by the institution's student body, student government, or other equivalent group of the relevant institution and serve for such terms as the board of visitors of the institution shall prescribe.~~

B. Nothing in this section shall prohibit any board of visitors from excluding such representatives from discussions of faculty grievances, faculty or staff disciplinary matters or salaries, or other matters, at the discretion of the board.

§ 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.