

An Act to repeal Chapter 5.1 of Title 23 of the Code of Virginia, including §§ 23-49.2 through 23-49.10, relating to Richmond Professional Institute; to repeal Chapter 6 of Title 23 of the Code of Virginia, including §§ 23-50 through 23-50.3, relating to Medical College of Virginia; and to amend the Code of Virginia by adding in Title 23 thereof a chapter numbered 6.1 including §§ 23-50.4 through 23-50.14, establishing the Virginia Commonwealth University, to create a board of visitors and prescribe its powers and duties.

[H 125]

Approved MAR 1 1968

Be it enacted by the General Assembly of Virginia:

1. That Chapter 5.1 of Title 23 of the Code of Virginia, including §§ 23-49.2 through 23-49.10, is repealed, effective July 1, 1968.
2. That Chapter 6 of Title 23 of the Code of Virginia, including §§ 23-50 through 23-50.3, is repealed, effective July 1, 1968.

3. That the Code of Virginia be amended by adding in Title 23 thereof a chapter numbered 6.1, including §§ 23-50.4, through 23-50.14, as follows:

§ 23-50.4. There is hereby established a corporation consisting of the Board of Visitors of the Virginia Commonwealth University under the style of "Virginia Commonwealth University", and shall at all times be under the control of the General Assembly.

§ 23-50.5. All real estate and personal property existing and standing in the name of the corporate bodies designated "Medical College of Virginia" and "Richmond Professional Institute" as of July 1, 1968, shall be transferred automatically to and, by virtue of this act, shall be known and taken as standing in the name and to be under the control of the corporate body designated "Virginia Commonwealth University". Such real estate and personal property shall be the property of the Commonwealth. All rights, duties, contracts and agreements of the Medical College of Virginia and Richmond Professional Institute as of July 1, 1968, are hereby vested in such corporate body designated "Virginia Commonwealth University", which shall thenceforth be responsible and liable for all the liabilities and obligations of each of the predecessor institutions.

§ 23-50.6. (a) The Board of Visitors is to consist of fifteen (15) members to be appointed by the Governor.

(b) As soon as practicable after the effective date of this act, the Governor shall appoint for terms to commence as of the date of appointment eight members for terms ending July 1, 1970, four members for terms ending July 1, 1971, and three members for terms ending July 1, 1972. There shall be appointed to such initial Board of Visitors four members from the Board of Visitors of the Medical College of Virginia and four members from the Board of Visitors of the Richmond Professional Institute as such Boards exist at the time of the passage of this act, and seven persons without prior service on either of such Boards.

(c) Thereafter, upon the expiration of the terms of each class of members, the Governor shall appoint their successors for terms of four years. Members shall be eligible for service for two consecutive terms of four years only (exclusive of that portion of any unexpired term or any

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term on the initial board of less than four years to which he may have been appointed).

(d) All vacancies shall be filled by the Governor for the unexpired terms.

(e) All appointments are subject to confirmation by the General Assembly if in session when such appointments are made, and if not in session, at its next succeeding session. Visitors shall continue to discharge their duties after their terms have expired until their successors have been appointed and have qualified.

(f) The initial Board of Visitors appointed by the Governor pursuant to subsection (b) above is empowered prior to July 1, 1968, to meet, organize and conduct such business as the Board may deem necessary or advisable to effect the establishment of Virginia Commonwealth University as of July 1, 1968.

(g) After appointment of the initial Board of Visitors of Virginia Commonwealth University pursuant to subsection (b) above, the remaining members of the Boards of Visitors of Medical College of Virginia and Richmond Professional Institute shall serve as Advisory Boards to the Board of Visitors until July 1, 1970, and, during such period, shall render such assistance and take such action as the Board of Visitors may request from time to time.

§ 23-50.7. The corporation is formed for the purpose of establishing and maintaining a university consisting of colleges, schools and divisions offering undergraduate and graduate programs in the liberal arts and sciences and programs of education for the professions and such other branches of learning as may be appropriate, and in connection therewith, it is empowered to maintain and conduct hospitals, infirmaries, dispensaries, laboratories, research centers, power plants and such other necessary related facilities as in the opinion of the Board of Visitors are deemed proper. The colleges, schools, and divisions heretofore existing as The Medical College of Virginia shall, as of July 1, 1968, be designated The Medical College of Virginia, Health Sciences Division of Virginia Commonwealth University.

Purpose

§ 23-50.8. The corporation is vested with all the rights, powers and privileges conferred upon and subject to all the provisions relating to similar corporations under the laws of this State so far as they are applicable and shall have, in addition to those other powers, all the corporate powers given to nonstock corporations by the provisions of §§ 13.1-201 through 13.1-296 of the Code of Virginia, except in those cases whereby the express terms of the provisions thereof it is confined to corporations created under Title 13.1 of the Code. The corporation shall also have the power to take, hold, receive and enjoy any gift, grant, devise or bequest to Virginia Commonwealth University or its predecessors, the same to be held for the uses and purposes designated by the donor, if any, or if not so designated, for the general purposes of the corporation, whether given directly or indirectly; and to accept, execute and administer any trust in which it may have an interest under the terms of the instrument creating the trust. The corporation shall control and expend the funds appropriated to it by the State as may be provided by law.

Corporate Powers

§ 23-50.9. (a) The principal office of the corporation shall be located, and all meetings of the Board of Visitors held, as far as practicable, in the City of Richmond. The Board shall fix the date for its annual meeting and such other meetings as it may deem advisable. Due notice of all meetings shall be given to each Visitor. A majority of the members serving at any time shall constitute a quorum. Such reasonable expenses as the Visitors may incur in the discharge of their duties shall be paid out of the funds of the University.

Principal Office Meetings

(b) The Board shall elect from its members a Rector, a Vice Rector, a Secretary and such other officers as it deems necessary or advisable, and prescribe their duties, term of office, and fix their compensation if any. The Board shall also designate an Executive Committee, determine the number of members thereof and the number which shall constitute a quorum; such executive committee shall perform all the duties as are delegated to it by the Board.

§ 23-50.10. The Board of Visitors shall be vested with all the rights and powers conferred upon it by this chapter insofar as the same are not inconsistent with the general laws of the State.

The Board shall appoint the President, who shall be the chief executive officer of the University, and all professors, teachers, staff members and agents, and shall fix their salaries and shall prescribe their duties.

The Board shall make all rules and regulations it deems advisable concerning the University and shall generally direct the affairs and business of the University.

§ 23-50.11. The Board may fix the rates charged the students of the University for tuition, fees and other necessary charges, and may fix and collect fees and charges for services rendered by or through any facilities maintained or conducted by the corporation.

The Board is authorized and empowered to provide for the deposit with the treasurer or other proper officer of any hospital under its supervision, management or control, of any money which has been left on deposit in such hospital by discharged patients, after, in the exercise of reasonable diligence, the person or persons have been unable to be found, and after the lapse of three years from the date of the departure of such person or persons. All funds so received shall be deposited to the credit of the hospital division in a bank or banks, designated by the Board of Visitors, and shall be disbursed by the said officer, as directed by the Board, for the benefit of hospitals under its control or for the benefit of the patients of such hospitals. However, the Board of Visitors shall have the authority to invest so much of the special fund as it may deem proper, in the United States Government bonds or in other securities authorized by law for the investment of fiduciary funds, and the interest from such investments may be expended in the same manner as set forth above. Every action to recover money which has been left on deposit in such hospitals by discharged patients shall be brought within three years from the date of the patient's discharge.

§ 23-50.12. The Board of Visitors shall have the right to confer all degrees heretofore conferred by the Medical College of Virginia and the Richmond Professional Institute and such other degrees including honorary degrees as it may deem proper.

§ 23-50.13. The Board of Visitors of Virginia Commonwealth University, with the approval of the Governor first obtained, is hereby authorized to sell and convey any and all real estate or interests therein including easements for roads, streets, sewers, water lines, electric and other utility lines or other purposes to which it has acquired title by gift, devise or purchase. The proceeds derived from any such sale or sales shall be held by the University upon the identical trusts, and subject to the same uses, limitations and conditions, if any, that are expressed in the original instrument under which its title was derived, or if there be no such trusts, uses, limitations or conditions expressed in such original instrument, then such funds shall be applied by the Board to such purposes as it may deem best for the University.

§ 23-50.14. Process against or notice to the corporation may be served only in the City of Richmond upon the Rector, Vice Rector, or Secretary of the Board, or upon the President of Virginia Commonwealth University.

4. An emergency exists and this act is in force from its passage.

Officers

Executive Committee

Staff & Faculty

Degrees

Real Estate Sale

Process

President of the Senate

Speaker of the House of Delegates

Approved:

Governor