

**RESOLUTION TO REVISE THE BY-LAWS OF
THE VIRGINIA TECH BOARD OF VISITORS**

WHEREAS, legislation passed by the 2015 Virginia General Assembly and signed into law by Governor McAuliffe enumerates several specific provisions pertaining to the criteria and process for the removal of board members that the boards of visitors are required to incorporate in their by-laws; and

WHEREAS, the By-laws of the Virginia Tech Board of Visitors state that by statute, the Board is charged with the care, preservation, and improvement of university property and with the protection and safety of students, faculty, and staff on the property; and due to the growing body of legislation addressing campus safety, it is desirable to incorporate that responsibility formally within the charge of the Board's Buildings and Grounds Committee;

NOW, THEREFORE, BE IT RESOLVED that the Board of Visitors of Virginia Polytechnic Institute and State University hereby approves the proposed revisions to the "By-laws of the Board of Visitors of Virginia Polytechnic Institute and State University," as stated in the attached addendum, effective immediately.

RECOMMENDATION:

That the proposed revisions to the By-laws of the Virginia Tech Board of Visitors be approved, effective immediately.

August 31, 2015

**ADDENDUM TO THE
RESOLUTION TO REVISE THE BY-LAWS OF
THE VIRGINIA TECH BOARD OF VISITORS**

August 31, 2015

The Board of Visitors Bylaws

Article I

Section 6d. Buildings and Grounds Committee

Current:

The Buildings and Grounds Committee assists the Board in its responsibility for maintenance and development of the physical plant, land use, and its review of capital outlay requests. The university employee designated as the University Building Official when serving in that capacity shall organizationally report directly and exclusively to the Board of Visitors through the Buildings and Grounds Committee.

Proposed:

The Buildings and Grounds Committee assists the Board in its responsibility for campus safety and security, maintenance and development of the physical plant, land use, and its review of capital outlay requests. The university employee designated as the University Building Official when serving in that capacity shall organizationally report directly and exclusively to the Board of Visitors through the Buildings and Grounds Committee.

Article VI. Miscellaneous Provisions

Section 2. Removal of Board Members

Current:

The members of the Board of Visitors are protected by Virginia law from being removed without appropriate reasons and by an unfair process. If any Visitor fails to perform the duties of his office for one year without good cause shown to the Board, the Board shall, at the next meeting after the end of such year, cause the fact of such failure to be recorded in the minutes of their proceedings, and certify the same to the Governor, and the office of such Visitor shall thereupon be vacant (§ 23-120, Code of Virginia, as amended). Dismissal of a Board member for cause will be pursued in accordance with Virginia Code § 2.2-108 and § 24.2-231, as amended, which provides the process for removal of a Board member from office for malfeasance, misfeasance, incompetence, gross neglect of duty, or conviction of a felony.

Proposed:

The members of the Board of Visitors are protected by Virginia law from being removed without appropriate reasons and by an unfair process. If any Visitor fails to attend the meetings of the board for one full year without sufficient cause and/or perform the duties of his office for one year without good cause as determined by a majority vote of the Board, the remaining members of the Board shall record such failure in the minutes at its next meeting and notify the Governor, and the office of such member shall be vacated. (§ 23-120 and § 23-2.06, Code of Virginia, as amended).

If any Visitor fails to attend the educational programs required by Code of Virginia § 23-9.14:1 in his/her first two years of membership without sufficient cause, as determined by a majority vote of the Board, the remaining members of the Board shall record such failure in the minutes at its next meeting and notify the Governor, and the office of such member shall be vacated. (§ 23-2.06, Code of Virginia, as amended).

Dismissal of a Board member for cause will be pursued in accordance with Virginia Code § 2.2-108 and § 24.2-231, as amended, which provides the process for removal of a Board member from office for malfeasance, misfeasance, incompetence, gross neglect of duty, or conviction of a felony.

Section 5. Educational Requirement**Current:**

Educational programs for boards of visitors are required by statute to be delivered annually by the State Council of Higher Education for Virginia (SCHEV). New board members must participate in programs offered at least once during their first two years on the board.

Proposed:

Educational programs for boards of visitors are required by statute to be delivered annually by the State Council of Higher Education for Virginia (SCHEV). New board members must participate in programs offered at least once during their first two years on the board. (See Article VI, Section 2.)