

CODE OF VIRGINIA
TITLE 23. EDUCATIONAL INSTITUTIONS
CHAPTER 5.2. OLD DOMINION UNIVERSITY

Effective July 1, 2008

§ 23-49.11. Corporate name; powers; subject to control of General Assembly.

The board of visitors of the Old Dominion University shall be a corporation under the style of "Old Dominion University," and shall have, in addition to its 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 the provisions thereof, it is confined to corporations created under such title; and shall also have the power to accept, execute and administer any trust in which it may have an interest under the terms creating the trust. The rector and visitors of Old Dominion University shall at all times be subject to the control of the General Assembly.

(1962, c. 69; 1966, c. 18; 1974, c. 317.)

§ 23-49.12. Visitors empowered to choose title.

"The board of visitors of Old Dominion University" is empowered to choose and maintain a distinctive and appropriate title, in addition to its other powers.

(1962, c. 69; 1966, c. 18; 1974, c. 317.)

§ 23-49.13. Property transferred to visitors and owned by Commonwealth; gifts or bequests.

All the real estate and personal property now existing and heretofore (before June 27, 1966) standing in the name of the corporate body designated "Norfolk College," located in Norfolk, and heretofore exclusively used by the Norfolk College, shall be transferred to and be known and taken as standing in the name, and to be under the control, of the corporate body designated "The Visitors of Old Dominion University." Such real estate and personal property shall be the property of the Commonwealth of Virginia.

Every gift, grant, devise or bequest heretofore or hereafter made to Old Dominion University, for any purpose or purposes, designated by the donor, the corporation is empowered to receive, take, hold and enjoy the same for the uses and purposes designated by the donor if he or she shall so designate, or for the general purposes of the corporation when the gift, grant, devise or bequest is not so designated, whether the same be given directly to the corporation, or to trustees for its benefit.

(1962, c. 69; 1966, c. 18; 1974, c. 317.)

§ 23-49.14. Appointment of visitors generally; number and terms; vacancies; confirmation.

(a) The board of visitors is to consist of seventeen members to be appointed by the Governor, three of whom may be nonresidents of the Commonwealth of Virginia and at least three of whom shall be alumni of Old Dominion University.

(b) Prior to July 1, 1980, the Governor shall appoint successors to the members whose terms expire in 1980 for terms of four years and four additional members, one for a term of one year, one for a term of two years, one for a term of three years and one for a term of four years. Annually thereafter, the Governor shall appoint members to fill vacancies caused by the expiration of terms for terms of four years.

(c) All vacancies, whether occasioned by failure to make an appointment within the sixty days preceding any regular expiration as required, or otherwise, are to be filled by the Governor for the unexpired term.

(d) All appointments are subject to confirmation by the General Assembly if in session when such appointments are made, and if not in session, then 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.

(1962, c. 69; 1966, c. 18; 1970, c. 624; 1980, c. 100.)

§ 23-49.15. Nominations for appointment to board of visitors.

(a) The Governor may appoint visitors from a list of qualified persons submitted to him, by the alumni association of Old Dominion University, or its titular successor, on or before April 1 of any year in which the terms of any visitors will expire.

(b) Whenever a vacancy occurs, otherwise than by expiration of term, the Governor shall certify this fact to the association and nominations may be submitted of qualified persons and the Governor may fill the vacancy, if his discretion so dictates, from among the eligible nominees of the association, whether or not alumni or alumnae.

(c) [Repealed.]

(d) The Governor is not to be limited in his appointments to the persons so nominated.

(1962, c. 69; 1966, c. 18; 1974, c. 317; 1980, c. 100.)

§ 23-49.16. Visitor ineligible for more than two successive terms; vacating office by nonperformance of duties.

No person shall be eligible to serve for or during more than two successive four-year terms.

If any visitor fails to perform the duties of his office for one year, without sufficient cause shown to the board, the board of visitors shall, at their 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 be thereupon vacant. If so many of such visitors fail to perform their duties that a quorum thereof do not attend for a year, upon a certificate thereof being made to the Governor by the rector or any member of the board, or by the president of the University, the offices of all visitors so failing to attend shall be vacated.

(1962, c. 69; 1966, c. 18; 1974, c. 317; 1980, c. 100.)

§ 23-49.17. Rights, powers and duties of board in general; meetings; rector, vice-rector and secretary; executive committee.

A. The board of visitors shall be vested with all the rights and powers conferred by the provisions of this chapter insofar as the same are not inconsistent with the provisions of this chapter and the general laws of the Commonwealth.

The board shall control and expend the funds of the University and any appropriation hereafter provided, and shall make all needful rules and regulations concerning the University, appoint the president, who shall be its chief executive officer, and all professors, teachers, staff members and agents, and fix their salaries, and generally direct the affairs of the University.

B. The board of visitors shall meet at the University once a year, and at such other times as they shall determine, the days of meetings to be fixed by them. A majority of voting members shall constitute a quorum. At the first

meeting after July 1, 1962, and every second year thereafter, they shall elect from their own body a rector, who shall preside at their meetings, a secretary and a vice-rector. In the absence of the rector or vice-rector at any meeting, the secretary shall preside, and on the absence of all three, the board may appoint a pro tempore officer to preside. Any vacancies in the offices of rector, vice-rector or secretary may be filled by the board for the unexpired term. 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 meetings shall be given by the secretary to every member.

C. At every regular annual meeting of the board an executive committee of no fewer than five members may be appointed for the transaction of business in the recess of the board. The executive committee shall be the officers of the board and such other members as shall be appointed by the rector.

(1962, c. 69; 1966, c. 18; 1974, c. 317; 1980, c. 100; 2002, c. 368.)

§ 23-49.18. Board may fix tuition, fees and other necessary charges.

The board of visitors may fix, in their discretion, the rates charged the students of the University for tuition, fees and other necessary charges.

(1962, c. 69; 1974, c. 317.)

§ 23-49.19. Right to confer degrees.

The board of visitors shall have the right to confer degrees.

(1962, c. 69.)

§ 23-49.20. Normal course to be maintained.

The University may maintain in connection with its collegiate course, which shall be continued, a system of normal instruction and training for the purpose of educating and training teachers for the public free schools of the Commonwealth.

(1962, c. 69; 1966, c. 18; 1974, c. 317.)

§ 23-49.21. Lease or sale of real estate.

The rector and visitors of Old Dominion University, with the approval of the Governor first obtained, are hereby authorized to lease, sell and convey any and all real estate to which it has acquired title by gift, devise or purchase since the commencement of the University under any previous name or names, or which may hereafter be conveyed or devised to it. The proceeds derived from any such lease, sale or sales shall be held by said rector and visitors of Old Dominion University upon the identical trusts, and subject to the same uses, limitations and conditions, if any, that are expressed in the original deed or will under which its title was derived, or if there be no such trusts, uses, limitations or conditions expressed in such original deed or will, then said funds shall be applied by the rector and visitors of the University to such purposes as said board may deem best for the University.

(1966, c. 18; 1968, c. 545; 1974, c. 317.)

§ 23-49.22.

Repealed by Acts 1968, c. 545.

§ 23-49.22:1. Center for graduate and undergraduate studies authorized; executive director.

A. In addition to such powers conferred by this chapter and Chapter 13.1 (§ [23-174.1](#) et seq.) of this title, the boards of visitors of Old Dominion University and Norfolk State University shall be empowered to jointly establish, from such funds as may be appropriated or received, and to supervise and control a center for graduate and undergraduate studies to serve the Cities of Chesapeake, Portsmouth, and Suffolk. The boards of visitors may enter into agreements for the sharing of faculty and equipment for the operation of the center.

B. The boards may appoint an executive director for the center, who shall perform the specific duties imposed by the boards of visitors and shall employ such personnel and contract for such services as may be required for the operation of the center.

(1992, cc. 176, 436.)

§ 23-49.22:2. Administration.

The boards of visitors of Old Dominion University and Norfolk State University shall have the same powers as to determining the fields of instruction to be offered; fixing tuition, fees, and other charges; appointing and removing administrative officers, professors, and agents; and the making of rules and regulations as are now vested in their respective boards. The boards shall have the power to grant appropriate diplomas or certificates upon the successful completion of the curriculum of the center.

(1992, cc. 176, 436.)

§ 23-49.22:3. Curriculum.

The curriculum offered by the center shall be limited to upper level undergraduate and graduate courses of instruction which are offered by Old Dominion University and Norfolk State University. The approval of the State Council of Higher Education shall be required for the addition of any new academic programs pursuant to § [23-9.6:1](#). In developing upper level undergraduate educational programs, the boards shall consider articulation agreements and course offerings at area community colleges to ensure the appropriate breadth and availability of coursework.

(1992, cc. 176, 436.)

§ 23-49.22:4. Care, preservation, and acquisition of property; gifts and donations.

The boards of visitors of Old Dominion University and Norfolk State University shall be charged with the care and preservation of all real and personal property belonging to the center. The boards are authorized to lease or acquire by gift or purchase a suitable site for the center and to accept and expend gifts and donations of any kind from individuals, firms, corporations, and organizations.

(1992, cc. 176, 436.)