

Code of Virginia

Title 23.1. Institutions of Higher Education; Other Educational and Cultural Institutions

Chapter 31. Educational Authorities, Centers, Committees, Funds, Institutes, and Partnerships

Article 7. Southwest Virginia Higher Education Center

§ 23.1-3125. Southwest Virginia Higher Education Center established; duties.

The Southwest Virginia Higher Education Center (the Center) is established as an educational institution in the Commonwealth. The Center shall:

1. Encourage the expansion of higher education degrees, adult and continuing education, workforce training, and professional development through partnerships with public institutions of higher education and private institutions of higher education;
2. Facilitate the delivery of teacher training programs leading to licensure and undergraduate and graduate degrees;
3. Serve as a resource and referral center by maintaining and disseminating information on existing educational programs and resources; and
4. Develop, in coordination with the Council, specific goals for higher education in Southwest Virginia.

1991, c. 627, § 23-231.2; 1992, c. 132; 1999, cc. [424](#), [437](#); 2004, c. [1000](#); 2016, c. [588](#).

§ 23.1-3126. Board of trustees.

A. The Center shall be governed by a board of trustees (the board), consisting of 23 members as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; the Director of the Council or his designee; the Chancellor of the Virginia Community College System or his designee; the chief executive officers of Virginia Polytechnic Institute and State University, Radford University, the University of Virginia, the University of Virginia's College at Wise, Old Dominion University, Emory and Henry College, Virginia Commonwealth University, and Virginia Highlands Community College or their designees; and seven nonlegislative citizen members to be appointed by the Governor who represent Southwest Virginia public education and area business and industry, including one division superintendent, one public school teacher, two business and industry leaders, one representative of the technology industry, one representative of the tourism industry, and one representative of the health care industry.

Nonlegislative citizen members of the board shall be chosen from among residents of the Southwest region of the Commonwealth and shall be citizens of the Commonwealth.

B. Legislative members and the representatives of the Council, the System, and the named institutions of higher education shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for terms of four years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments.

No nonlegislative citizen member is eligible to serve more than two consecutive four-year terms; however, a member appointed to serve an unexpired term is eligible to serve two consecutive

four-year terms immediately succeeding such unexpired term.

C. Nonlegislative citizen members are not entitled to compensation for their services. Legislative members of the board shall be compensated as provided in § 30-19.12. All members of the board shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties in the work of the Center as provided in §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be provided by the Center.

D. The board shall elect a chairman and a vice-chairman from among its membership.

1991, c. 627, § 23-231.3; 1992, c. 420; 1996, cc. 135, 763; 1998, c. 78; 1999, cc. 424, 437; 2000, c. 89; 2002, c. 292; 2004, c. 1000; 2005, c. 550; 2016, c. 588.

§ 23.1-3127. Powers of the board.

A. The board has, 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 its provisions, it is confined to corporations created under that title. The board may accept, execute, and administer any trust in which it may have an interest under the terms of the instrument creating the trust.

B. The board may establish and administer agreements with (i) public institutions of higher education and private institutions of higher education to provide undergraduate-level and graduate-level instructional programs at the Center and (ii) Virginia Highlands Community College and other public institutions of higher education and private institutions of higher education to provide freshman-level and sophomore-level courses and associate degrees. The board shall seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if local community colleges are unable to meet identified industry needs, then the board may seek to collaborate with other education providers or may provide Center-delivered specialized noncredit workforce training independent of local comprehensive community colleges.

C. The board may, on behalf of the Center, apply for, accept, and expend gifts, grants, or donations from public or private sources to enable it to carry out its objectives.

1991, c. 627, §§ 23-231.4, 23-231.6; 1998, c. 78; 1999, cc. 424, 437; 2016, c. 588; 2019, c. 766.

§ 23.1-3128. Executive director.

A. The board shall appoint an executive director for the Center who shall supervise and manage the Center and shall prepare and submit, upon the direction and approval of the board, all requests for appropriations. The executive director may employ such staff as necessary to enable the Center to perform its duties as set forth in this article. The board may determine the duties of such 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 any public institution of higher education that offers courses or instructional programs at the Center.

1991, c. 627, § 23-231.5; 1999, cc. 424, 437; 2016, c. 588.

§ 23.1-3129. Cooperation of other agencies.

All agencies of the Commonwealth shall cooperate with the Center and, upon request, assist the

Center in the performance of its duties and responsibilities.

1991, c. 627, § 23-231.7; 2016, c. 588.

§ 23.1-3129.1. Virginia Rural Information Technology Apprenticeship Grant Fund and Program.

A. As used in this section:

"Apprenticeship program" means an 18-month apprenticeship program for information technology workers hosted by a small, rural information technology business that combines mentorship and on-the-job training and that is established for the purpose of enhancing the experience and skills of such information technology workers.

"Information technology" means communications, telecommunications, automated data processing, applications, databases, data networks, the Internet, management information systems, and related information, equipment, goods, and services.

"Information technology worker" means any employee of a small, rural information technology business who is employed full-time on a salaried or wage basis and whose position is neither temporary nor provisional in nature.

"Qualified locality" means the Counties of Alleghany, Bland, Botetourt, Buchanan, Carroll, Craig, Dickenson, Giles, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe and the Cities of Bristol, Danville, Galax, Martinsville, and Norton.

"Small, rural information technology business" means any corporation, partnership, sole proprietorship, firm, or enterprise that (i) provides information technology services to its clients, (ii) is headquartered and operated in a qualified locality, and (iii) employs fewer than 100 employees.

B. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Rural Information Technology Apprenticeship Grant Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of (i) awarding grants on a competitive basis through the Virginia Rural Information Technology Apprenticeship Grant Program established pursuant to subsection C or (ii) implementing and administering the Virginia Rural Information Technology Apprenticeship Grant Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the executive director of the Center.

C. The Virginia Rural Information Technology Apprenticeship Grant Program (the Program) is hereby established for the purpose of awarding grants on a competitive basis from such funds as may be available from the Fund to small, rural information technology businesses to establish apprenticeship programs. The Program shall be administered by the Center. In administering the Program, the Center shall establish and publish guidelines and criteria for grant awards, including guidelines and criteria governing agreements between the Center and grant recipients relating to the employment of information technology workers who participate in apprenticeship

programs. Such guidelines and criteria are subject to the approval of Chief Workforce Development Officer. The Center, in collaboration with the Chief Workforce Development Officer, shall oversee each grant awarded through the Program and ensure thorough annual reporting on each such grant.

D. Each small, rural information technology business that receives a grant pursuant to the Program is eligible to receive grant funding for no more than five years or until the business employs 100 individuals, whichever occurs first. The amount of each grant shall not exceed the entry-level salary to employ information technology workers pursuant to the apprenticeship program established by the business for a period of 18 months, in accordance with salary guidelines established and annually adjusted, as necessary, by the Center.

2019, cc. [646](#), [647](#).