

**RESOLUTION ATTESTING TO VIRGINIA TECH'S
ABILITY TO OPERATE AS A COVERED INSTITUTION**

WHEREAS, the 2005 General Assembly passed HB 2866 and SB 13277 known as the Restructured Higher Education Financial and Administrative Operations Act, as amended by the Governor; and

WHEREAS, by separate Resolution the Board of Visitors has committed to the Governor and the General Assembly to meet the state goals as specified in Chapter 4.10, Section 23-38.88 B of the Act; and

WHEREAS, the Act includes a provision titled Subchapter 3, Alternative Authority for Covered Institutions (§23-38.91, et seq.), which sets out the requirements for a public university or college of the Commonwealth to gain the greatest degree of authority over financial and administrative operations, subject to certain accountability, audit and reporting measures specified by the General Assembly of Virginia;

NOW THEREFORE BE IT RESOLVED, that it is the sense of the Board of Visitors that Virginia Polytechnic Institute and State University is qualified to be, and should be, governed by the authorizations and requirements set forth in Subchapter 3 and as may otherwise be prescribed by applicable law; and

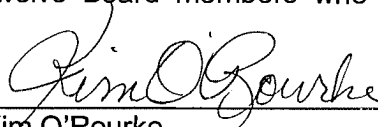
BE IT FURTHER RESOLVED, that the Board of Visitors of the University attests to the ability of Virginia Polytechnic Institute and State University to manage successfully its administrative and financial operations without jeopardizing its financial integrity and stability; and accordingly authorizes the University President to submit to the Governor a written request for the University to be governed by Subchapter 3, providing a copy of such written request to the Chairman of the House Committee on Appropriations, the House Committee on Education, the Senate Committee on Finance, and the Senate Committee on Education and Health. The University's request shall be supported by the documentation called for by §23-38.97 of the Virginia Code, including documenting the University's expertise and resources to perform successfully its public educational mission and setting forth its performance and accountability standards; and

BE IT FURTHER RESOLVED, that it is the desire of the Board of Visitors that the Virginia Cooperative Extension and Agricultural Experiment Station Division be included in and benefit from the same financial and managerial authority as may be granted to the University according to the terms of the approved management agreement and the Act.

RECOMMENDATION:

That the Resolution regarding the University's ability to operate as a covered institution be adopted.

I, Kim O'Rourke, Secretary to the Virginia Tech Board of Visitors, do hereby certify that the above is a true and exact copy of a resolution duly adopted by the Board of Visitors, passed by unanimous vote of the twelve Board members who were present, at its meeting on September 24, 2005.



Kim O'Rourke
Secretary, Board of Visitors