

RESOLUTION APPROVING AND ADOPTING THE MANAGEMENT AGREEMENT,
BOARD POLICIES, AND PERFORMANCE MEASURES

WHEREAS, the 2005 General Assembly passed HB2866 and SB1327 known as the Restructured Higher Education Financial and Administration Operations Act, as amended by the Governor (the Act); and

WHEREAS, by separate resolution the Board of Visitors 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, by separate resolution the Board of Visitors attested to the ability of Virginia Polytechnic Institute and State University to meet the requirements for a public university or college of the Commonwealth to gain the greatest authority over financial and administrative operations, subject to certain accountability, audit and reporting measures specified by the General Assembly of Virginia and the Board of Visitors authorized the President of the University to apply for the University to be governed by subchapter 3 of the Act; and

WHEREAS, the Board of Visitors has reviewed the attached Performance Measures and Management Agreement, including the attached policies of the operational areas of capital projects, leases, information technology, procurement, human resources, and finance and accounting, that have been negotiated with, and approved by, both the President of Virginia Polytechnic Institute and State University and, as appropriate, the Secretary of Finance, the Secretary of Administration, the Secretary of Technology, and the Secretary of Education;

NOW THEREFORE BY IT RESOLVED that the Board of Visitors hereby (i) approves and adopts the attached Performance Measures and Management Agreement, including the attached Board policies in the operational areas of capital projects, leases, information technology, procurement, human resources, and finance and accounting that have been negotiated with, and approved by, both the President of Virginia Polytechnic Institute and State University and, as appropriate, the Secretary of Finance, the Secretary of Administration, the Secretary of Technology, or the Secretary of Education, and (ii) authorizes the President of Virginia Polytechnic Institute and State University to execute the attached Management Agreement on behalf of Virginia Polytechnic Institute and State University.

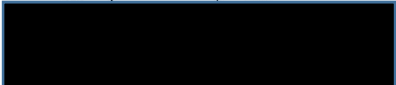
BE IT FURTHER RESOLVED that the Board of Visitors also hereby authorizes the Executive Committee on behalf of the Board of Visitors to review and accept any changes in the Performance Measures, Management Agreement and Board policies that the committee determines to be in the best interests of the University and that may be required by the Governor or the General Assembly as a condition of the approval of the Agreement, between the date of this Resolution and the effective date of the Performance Measures, Management Agreement and Board policies; provided that the Executive Committee shall notify the full Board as soon as practical of any such changes. In the event the Executive Committee is unable because of exigent and other circumstances to convene in a timely manner, the President and Rector are authorized to make changes; provided that they shall notify the full Board as soon as practical of any such changes or amendments.

RECOMMENDATION:

That the Resolution regarding the approval of the Performance Measures, Management Agreement, and Board policies be approved.

November 7, 2005

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 thirteen board members who were present, at its meeting on November 7, 2005.)


Kim O'Rourke
Secretary, Board of Visitors