



TO: WHOM IT MAY CONCERN

FROM: STEPHEN CAPALDO, *SC*
ASSOCIATE UNIVERSITY LEGAL COUSEL
AND ASSISTANT ATTORNEY GENERAL

RE: STATUS OF VIRGINIA TECH AS PUBLIC UNIVERSITY

DATE: APRIL 22, 2011

This office represents the interests of Virginia Polytechnic Institute and State University ("Virginia Tech") and is a unit of the Office of the Attorney General of Virginia. This memo is in response to a request to clarify our status as a state agency and operation of a small helicopter.

Virginia Tech is an agency of the Commonwealth of Virginia. This recognition is codified in the Code of Virginia, §23-114. I have attached a copy of this code section to this memorandum.

Further, Virginia Tech controls a Bergen Intrepid Gasser EB helicopter (Virginia Property bar code: VT000322806). This property does not conduct commercial flights as contemplated by 49 U.S.C. §40125.

Please contact me if you have further questions at the address and telephone number below. Thank you.

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§ 23-114. Board of visitors a corporation and under control of General Assembly.

The board of visitors shall be and remain a corporation under the name and style of the Virginia Polytechnic Institute and State University and shall at all times be under the control of the General Assembly. All acts and statutes relating to Virginia Polytechnic Institute, its predecessors by whatever name known, boards of visitors thereof, shall be construed as relating to the Virginia Polytechnic Institute and State University.

(Code 1919, § 860; 1944, p. 341; 1970, c. 98.)

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