

**LEGISLATIVE REPORT #1**  
**AAUP/FSVA/VCU FACULTY SENATE**  
**JANUARY 24, 2021**

**THANKS TO ALL OF THOSE WHO ARE PARTICIPATING IN VIRGINIA HIGHER EDUCATION ADVOCACY!**

Dear colleagues,

The AAUP, FSVA, and VCU Faculty Senate's nineteenth annual Virginia Higher Education Advocacy Day looks quite a bit different from previous years. Instead of meeting together in Richmond on the first full day of the regular session (January 14) of the Virginia General Assembly, we are meeting virtually with legislators. These meetings are on-going and taking place in various formats.

This session is notable for the unusual shortness of the short session of just 30 days. The General Assembly will adjourn sine die on February 11. There is also an unusual limit on the numbers of bills legislators may present. Senators are limited to filing twelve bills, and Delegates are limited to just seven. There are notably fewer higher education bills this year.

The main purpose of this session is to consider amendments to the biennial budget approved in the 2020 session. That budget included \$390 million in additional general fund support for higher education, representing an important improvement in state support. In response to the economic fallout from the pandemic, the governor "unallotted" (refused to expend) most new spending until a special session of the General Assembly could approve a new budget based on revised revenue forecasts. The special session concluded most of its work on October 16. The General Assembly approved support for public colleges and universities responding to the pandemic, and bonuses for faculty, including adjuncts, in the 2021 budget, if funds are available. The special session also approved funds to improve rural broadband access. Further investment in technology for both institutions and students remains an important goal.

**OUR POSITIONS ON HIGHER EDUCATION**

We called on the General Assembly to:

- **HB 1800** and **SB 1100** (budget bills) Re-allot the \$136 million for higher education not included in the special session budget. This includes money to support affordable access and institutional support, support for the G3-free community college initiative, Tuition Assistance Grants for Virginia residents attending private non-profit institutions in the Commonwealth, and for progress in achieving competitive salaries for Virginia's faculty.
- Explore ways to further support adjunct faculty, such as providing for their inclusion in state health insurance and VRS pension plans.
- Consider strengthening the role of faculty representatives on the Boards of Visitors described in § 23.1-1300 of the Code of Virginia.
- Support passage of **HB 1848** (Delegate Sickles), which adds discrimination on the basis of disability as an unlawful employment practice under the Virginia Human Rights Act.

## OTHER HIGHER EDUCATION LEGISLATION 2020 SESSION

### BILLS WE SUPPORT

**HB 1848** Delegate Sickles (D) adds discrimination on the basis of disability as an unlawful employment practice under the Virginia Human Rights Act. This bill has already **passed** the House on a 99-0 vote.

**HB 2120** Delegate Keam (D) to require the Board of Visitors to solicit input from the Faculty Senate or its equivalent twice yearly, and when conducting presidential searches. This bill is before the Post-Secondary and Higher Education subcommittee of the House Education Committee.

**HB 2204** Delegate Filler-Corn (D) and **SB 1405** Senator Saslaw (D) to create the Get Skilled, Get a Job, Give Back (G3) Fund and directs the VCCS to establish the G3 Program to provide financial assistance from the fund. This fund would be an addition to monies appropriated from the state's General Fund. Both of these bills were **reported (approved)** without opposition from the Higher Education subcommittees in each chamber and are now before the full Education committee in each chamber.

### BUDGET AMENDMENTS WE SUPPORT

**262.80 #1h** Delegate Carr (D). This amendment, the "Higher Education Unified Amendment," addresses the funding needs of Virginia's public colleges and universities to meet the challenges of the COVID-19 pandemic, support operations, and address access and affordability.

**262.70 #1h** Delegate Cox (R). The Tuition Moderation Incentive Fund would provide \$90.2 million in FY 2022 to encourage no tuition increases.

**175 #1h** and **175 #1s** Delegate Carr (D) and Senator Hanger (R). \$5 million for enrollment growth at JMU.

**150 #4h** Delegate Lopez (D). \$1 million for TAG to include those non-citizens qualifying for in-state tuition.

### BILLS OF INTEREST (we will track these but likely not take a position)

**HB 1755** Delegate Carter (D). Repeals "right-to-work." The committee referral is pending, so this bill is once again unlikely to get a hearing.

**HB 1870** Delegate Batten (R). This bill would provide in-state tuition for non-Virginia student currently present in the Commonwealth who is a victim of human trafficking. The Post-Secondary and Higher Education subcommittee **failed to recommend reporting** the bill on a 4-4 vote.

**HB 1930** Delegate Aird. This bill would prohibit asking about criminal history or using information about criminal history in admissions decision processes. The Post-Secondary and Higher Education subcommittee **reported (approved)** the bill on a 5-3 vote and it is now before the House Education Committee.

**HB 1975** Delegate Rush (R). This bill would waive tuition and fees for students who are survivors of criminal sexual assault and certain other sex crimes committed when the student was under 18. The Post-Secondary and Higher Education subcommittee **reported (approved)** the bill on a 5-2 vote and has been referred to the House Appropriations Committee.

**HB 1980** Delegate Reid (D). Establishes the Enslaved Ancestors College Access Scholarship Program, requiring Longwood, UVA, VCU, VMI, and William & Mary to provide at least one full scholarship each year to someone who meets the bill's qualifications with the institutions own, non-tuition money.

### **BILLS OF CONCERN** (We will track these and express concerns as appropriate)

**HB 1772** Delegate Freitas (R). This bill would extend per-student enrollment-based funding for non-credit workforce training programs. The Post-Secondary and Higher Education subcommittee **failed to recommend reporting** on 3-5 vote.

**HB 1794** Delegate Davis (R). This would exclude from collective bargaining negotiation matters dealing with hiring, firing or disciplinary actions of a local employee. Collective bargaining may be permitted by local school boards after May 1, 2021. Efforts to limit negotiation of the representation function of the union would further weaken Virginia's already weak step towards public sector unions. The bill is before the House Committee on Labor and Commerce.

**HB 2145** Delegate Miyares (R). Prohibits the governing board of any public institution of higher education from fixing tuition at a rate that exceeds \$2,500 per semester or its equivalent in any case in which instruction is provided solely in a virtual format and from a remote location. This bill is before the Post-Secondary and Higher Education subcommittee of the House Education Committee.