

LEGISLATIVE REPORT #2
AAUP/FSVA/VCU FACULTY SENATE
FEBRUARY 2, 2022

Dear colleagues,

The General Assembly session is already in its third week as both chambers work to clear their dockets before “Crossover Day” on February 16, when each chamber can only continue work on bills passed by the other chamber, except for the budget bills. Anything left unapproved at Crossover is defeated for the session. A number of bills of concern are still before the General Assembly.

The committees and subcommittees accept online comments on bills scheduled for hearings through the Legislative Information Services (LIS) website. Click [here](#), and then click on Meetings to see the schedule of meetings and links to provide comments.

The only bill currently listed on a docket for hearing from the list below is HB 340 (see page 3), scheduled for today at 5:00 p.m. Be aware that schedules at the General Assembly can change quickly.

BILLS WE SUPPORT

BIENNIAL BUDGET (HB 30 and SB 30)

We support 5% salary increases in each year of the biennium, and support the budget amendments to fund 100% of the cost of salary increases from the General Fund.

Governor Northam’s budget proposals include a **5% salary increase for state employees, including faculty, in both FY2023 and FY2024**. However, one-half of the increases for faculty are to come from non-general fund sources, meaning from the institutions. Senator McClellan (D) and Delegate Morefield (R) have filed budget amendments to add \$94 million in FY2023 and \$194 million in FY 2024 to fund 100% of the cost of the salary and benefits increases proposed in the budget in order to limit the need to increase tuition.

Other important proposals in the proposed budget include:

- \$1 billion for the Virginia Retirement Service to meet its commitments.
- \$297 million new funding for Historically Black Colleges and Universities (HBCUs), both public and private.
- 50% increase in the tuition assistance grant (TAG) that goes to Virginia residents attending accredited private institutions in the Commonwealth.

We support these proposals.

BILLS WE OPPOSE

HB 1226 Delegate Davis (R). This bill reads, “Each tenured professor employed at a public institution of higher education shall personally teach students enrolled at the institution for at least 12 hours per week during any fall, winter, or spring semester, quarter, or other academic term and in a live, in-person format.” This bill is before the Higher Education subcommittee of the Committee on Education.

Education Gag Order bills

HB 781 Delegate Williams (R). This bill applies to school board members and employees of school boards (a.k.a. public school teachers). It is a sweeping measure clearly designed to chill debate over “divisive concepts,” as defined in the bill. Remedies for violations include charging a school board member with a Class IV misdemeanor, termination and revocation of licensure for teachers, and vouchers for offended parents to provide for their children’s education elsewhere. The bill is before the Committee on Education.

HB 977 Delegate McGuire (R). Similar to HB 781. The bill is before the Committee on Education.

SB 570 Senators Kiggans and Ruff (R). Similar to HB 781, although a bit less sweeping in its definitions of “divisive concepts” and unlike HB 781 it does not direct what things can be taught. It requires school principals to assure that no “divisive concepts” are delivered by school employees “or any other individual or entity.” The bill is before the Committee on Education and Health subcommittee on Public Education.

Anti-mask and vaccine mandate bills

HB 22 Delegate Walker (R). “Fundamental right to be free of medical mandates,” applicable to all public and private employees and providers of public accommodations. Currently before the Committee on Health, Welfare and Institutions, Subcommittee #3. Walker chairs the full committee.

HB 27 Delegate Anderson (R). Bill prohibits mandatory COVID-19 vaccination and prohibits discrimination based on vaccination status in education or public employment, “and numerous other contexts.” Currently before the Committee on Health, Welfare and Institutions, Subcommittee #3.

SB 458 Senator Chase (R). Prohibits any employer, school, or institution of higher education from adopting, implementing, or enforcing a COVID-19 related mask mandate. It was scheduled for a hearing on January 31 before the Higher Education subcommittee of the Committee on Education and Health, but no action has yet been reported on the Legislative Information Services site.

Restrictions on collective bargaining bills

HB 335 Delegate Freitas (R). This bill would undermine “exclusive representation” in public sector collective bargaining by allowing employees the right to “individual bargaining.” This bill was stricken from the docket in committee.

HB 336 Delegate Freitas (R). This bill would require certification of the bargaining unit, although it is unclear how often certification (or recertification) would be required. The bill was scheduled for hearing on February 1, in subcommittee #1 of the Committee on Commerce and Energy.

HB 337 Delegate Freitas (R). This bill would prohibit union officers from being compensated by public funds for doing union work, and would require unions to compensate the employer for materials used (e.g. office equipment or space) for union work. It would create an action for cause to be taken against public employees who violate these provisions. The bill was scheduled for hearing on February 1, in subcommittee #1 of the Committee on Commerce and Energy.

HB 341 Delegate Freitas (R). This bill would allow individuals represented by a collective bargaining unit the opportunity annually to withdraw from paying union dues. The bill was scheduled for hearing on February 1, in subcommittee #1 of the Committee on Commerce and Energy.

BILLS OF CONCERN

HB 317 Delegate Freitas (R). This bill would extend per-student enrollment-based funding for non-credit workforce training programs. The subcommittee on Higher Education voted 10-0 to “lay on the table” (a way to defeat a bill without voting directly against it). Technically, the bill is still before the Committee on Education.

HB 340 Delegate Davis (R). This bill directs the Board of Education to establish pathways to the advanced studies high school diploma that require advanced coursework in career and technical education in lieu of world language courses or any other required course that the Board deems appropriate. This bill is opposed by the Foreign Language Association of Virginia (FLAVA). The bill is scheduled to be heard on [February 2, 5:00 p.m.](#), before the Early Childhood/Innovations subcommittee of the Committee on Education.

SB 717 Senator Reeves (R). This bill prohibits employees at public higher education institutions from participating in Chinese-sponsored talent recruitment programs or receiving Chinese-funded grants. The bill requires each employee at such institutions to disclose to SCHEV all financial payments received from foreign governments. The bill is before the Higher Education subcommittee of the Committee on Education and Health.