

**LEGISLATIVE REPORT #1**  
**AAUP/FSVA/VCU FACULTY SENATE**  
**JANUARY 25, 2022**

Dear colleagues,

Things are a bit different for us this year. We decided to not hold an in-person Virginia Higher Education Advocacy Day this year due to the continuing pandemic, and we did not organize virtual meetings with legislators for everyone. Legislative monitoring continues, and **you are strongly encouraged to contact your state legislators to share with them our positions on key legislative initiatives. Please let me know when you have contacted a legislator.** We may also call on our members to contact key legislators on specific issues as the session continues.

The 2022 session of the General Assembly began on January 12. The main work of the GA is to approve the Commonwealth's biennial budget for fiscal years 2023 and 2024 (July 1, 2022-June 30, 2024). Governor Northam submitted his administration's budget proposals in December, and newly inaugurated Governor Youngkin has submitted his own budget amendments. The Republicans have a majority in the House of Delegates, while the Democrats retain the majority in the Senate. The General Assembly will adjourn sine die on March 12.

The new executive branch officers also merit policy monitoring. Governor Youngkin's [Executive Order #1](#) orders the end of use of "inherently divisive concepts," including Critical Race Theory, in public K-12 education. The order defines "inherently divisive concepts" and directs the Superintendent of Public Instruction to scour any use of "inherently divisive concepts" from the K-12 curriculum, training programs, and other educational programs. The definition provided is caricature of teaching that addresses the issue of race in Virginia and the United States, and is also flexible enough to "find" so-called "inherently divisive concepts" that are merely discomfiting to some public sensibilities. The order, and its legislative companion ([HB 781](#)), do not include higher education, but our concern is over the political imposition of certain perspectives on history and society that will likely make nuanced analysis of these important issues even more difficult in the college classroom in the near future.

Press reports today noted that new Attorney General Miyares has fired the college counsels at the University of Virginia and George Mason University. AG Miyares has also named a new Deputy Attorney General for Health, Education, and Social Services, as is his prerogative. College counsel work under the direction of the AG's office, so faculty should be attentive to any changes in campus policies that may reflect political interference in curricular or other matters central to the educational mission.

This first legislative report is quite brief, identifying budget matters of interest to us, and just one bill that directly targets our institutional missions and our own workloads. There are a larger number of bills we will track that would end mask and vaccine mandates, limit recent gains in public collective bargaining, and of course seek to ban Critical Race Theory. The status of those bills will be included in a more extensive report next week.

## OUR POSITIONS ON HIGHER EDUCATION

### 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.

### BILL 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." It is alarming that Delegate Davis is now chair of the House Education Committee, which has jurisdiction over this bill.

### Proposed Actions This Week

1. Constituents of Senator McClellan (D-Richmond) and Delegate Morefield (R-Tazewell) are invited to email notes of thanks for their budget amendments that would preserve faculty salary increases without requiring increased tuition.
2. Contact your Delegate, especially if they serve on the House Education Committee, and explain how dangerous HB 1226 is to our institutional mission and our institutionally determined workloads.

The members of the House Education Committee are Davis (Chair), Wampler, Greenhalgh, McQuinn, Sewell, Avoli (Vice Chair), Freitas, Tata, Subramanyam, Maldonado, LaRock, Coyner, Bourne, Guzman, McGuire, Cherry, VanValkenburg, Filler-Corn, Batten, Durant, Rasoul, Simonds.

Contact information for Delegates and Senators can be found at:  
<https://virginiageneralassembly.gov/house/members/members.php> and  
<https://apps.senate.virginia.gov/Senator/index.php>