



General Assembly Report to Council

January 12, 2015

<http://www.schev.edu/policy/longlist.asp>

SCHEV Resolutions

HJ555, SJ228 Resolution; endorsement of SCHEV's statewide strategic plan for higher education; report. (Landes, Martin) Resolution; endorsement of SCHEV's statewide strategic plan for higher education; report. Endorses the framework of mission, vision, goals, and strategies for the statewide strategic plan for higher education developed and approved by the State Council of Higher Education for Virginia (SCHEV) as the Commonwealth's vision and plan for higher education and requires SCHEV to report annually for six years on the Commonwealth's progress toward achieving the plan's goals to the Governor, General Assembly, institutions of higher education, and the public.

Institutional Purview & Oversight

HB1321 Public institutions of higher education; student right to representation at proceedings. (Morris) Any student enrolled at a public institution of higher education who is alleged to have committed an offense punishable by a suspension of more than 10 days or by expulsion pursuant to the institution's policies for the conduct of students has the right to be represented, in his discretion and at his expense, by a licensed attorney or a nonattorney advocate for the duration of any disciplinary proceeding or other institutional proceeding regarding the alleged offense. The bill excepts students enrolled at Virginia Military Institute from such right to representation.

HB1335 Education; agency coordination. (Landes) Requires the Secretary of Education to consult with the agencies for which he is responsible pursuant to statute and biennially report to the General Assembly on the coordination efforts among such agencies. The bill also requires (i) the Superintendent of Public Instruction to designate an employee of the Department of Education to serve as its liaison to SCHEV and the State Board for Community Colleges and (ii) the Chancellor of Community Colleges to designate an employee of the State Board for Community Colleges to serve as its liaison to the Board of Education.

HB1336 State Council of Higher Education for Virginia; policy on course credit at public institutions. (Landes) Requires SCHEV, in consultation with the governing board of each public institution of higher education, to establish a uniform policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations and repeals the current law under which such governing boards individually implement such policies. Effective date July 1, 2016.

HB1389 Higher educational institution; prohibition on regulating concealed handguns. (Berg) Prohibits any public institution of higher education from adopting or enforcing any rule, regulation, or policy prohibiting or limiting the carrying of a concealed handgun on property owned or operated by the institution by any person entitled to carry a concealed handgun. The bill also provides that any rule, regulation, or policy adopted prior to July 1, 2015, prohibiting or limiting the carrying of a concealed handgun is invalid.

HB1411 Concealed handguns; possession by faculty members at higher educational institutions. (Marshall) Possession of concealed handguns; faculty members at public institutions of higher education. Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

SB806 Public institutions of higher education; fixed four-year tuition rate. (Stanley) Requires the board of visitors of four-year public institutions of higher education to prospectively fix the cost of tuition, room and board, and other mandatory fees for incoming Virginia freshman undergraduate students for four consecutive years under the following conditions: (i) eligible students shall be enrolled full time and remain continuously enrolled as full-time students for the period of eligibility; (ii) a class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established to address the eligibility of freshman undergraduate students, the eligibility of transfer students, and any unforeseen circumstances that may require eligible students to take a leave of absence from the institution; and (iv) information is disseminated to all students applying to the relevant institution that clearly and concisely explains program eligibility and costs.

Campus Safety

HB1343 Campus police departments; sexual assault reporting. (Eileen Filler-Corn) Requires that mutual aid agreements between campus police force and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any investigation involving felony criminal sexual assault occurring on property owned or controlled by the institution of higher education within 48 hours of beginning such investigation.

HB1508 Institutions of higher education; sexual assault; memorandum of understanding and policies. ([Rip] Sullivan) Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that mandate the referral of a sexual assault victim to the sexual assault crisis center, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who are concerned that an official report might jeopardize their academic status.

HB1683 Institutions of higher education; liaison; criminal sexual assault and crimes. (Herring) Requires each institution of higher education to designate one employee to serve as the institution's liaison to the local department of social services and local law-enforcement agency to coordinate (i) a response to any crime resulting in serious bodily injury to a student or any criminal sexual assault committed against a student and (ii) access to programs for the victims of such crimes.

SB712 Higher education; reporting of sexual assault, penalty. (Black) Requires any faculty member, administrator, or full-time staff member employed by a public institution of higher education who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 48 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

SB734 Higher education; reporting of sexual assault, penalty. (Saslaw) Requires any administrator or professor employed by a public institution of higher education who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

Immigration

HB1356, SB722 In-state tuition; students granted Temporary Protected Status and Deferred Action for Childhood Arrivals. (Ramadan, Black) Declares that absent congressional intent to the contrary, any person granted Temporary Protected Status or Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services does not have the capacity to intend to remain in Virginia indefinitely and, therefore, is ineligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

HB1478 In-state tuition; students granted Deferred Action for Childhood Arrivals. (Kaye Kory) Declares that absent congressional intent to the contrary, any person granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to remain in Virginia indefinitely and, therefore, is eligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

Financial Aid/Military

HJ536 Constitutional amendment (first resolution); Lottery Proceeds Fund. (Lingamfelter) Allows lottery proceeds to be appropriated from the Lottery Proceeds Fund to public institutions of higher education for purposes of providing education and employment training for veterans who have been honorably discharged from an active or reserve component of the United States armed forces or the Virginia National Guard and who are domiciled in the Commonwealth.

SCHEV has provided the following language for potential legislation regarding the Veterans Choice Act. § 23-7.4:2. J. Notwithstanding any other provision of law, a public institution of higher education shall grant in-state tuition to a student if institutional participation in a federal educational assistance program is conditioned on such student's eligibility for in-state tuition charges. Any students granted in-state tuition pursuant to this subsection shall be counted as in-state students for the purpose of determining college admissions, enrollment, and tuition and fee revenue policies.

SB933 Individual income tax subtraction; discharge of student loan. (Howell) Establishes beginning January 1, 2015, an individual income tax subtraction for income attributable to the discharge of a student loan solely by reason of the student's death or total and permanent disability.

Community Colleges

HB1380 Higher education institutions, four-year public; dual enrollment programs. (Farrell) Permits four-year public institutions of higher education to offer at a public high school through a dual enrollment program courses similar to those offered by the comprehensive community college that serves the area when such community college is unable to offer its courses at the public high school despite good faith negotiations with the appropriate school board employees. The bill also removes obsolete provisions about extension programs and facilities for such programs.

SB849 Community colleges; enrollment policies. (Stanley)

Requires the State Board for Community Colleges to develop policies directing community colleges to offer any open seat in any career or technical education course that is not at full capacity to (i) students enrolled in public high schools that are located in the region served by the community college and (ii) individuals who (a) reside in the region served by the community college, (b) are unemployed at the time of enrollment or have an annual household income that does not exceed 100 percent of the federal poverty level, and (c) have registered for job services with the Virginia Workforce Connection.

Studies

HJ501 Study; JLARC; reorganization of law-enforcement agencies; report.

(Landes) Directs the Joint Legislative Audit and Review Commission to study reorganizing all or some state law-enforcement functions under the Department of State Police.

HJ558 SCHEV; analysis of teacher shortage; report. (Orrock) Requires SCHEV analyze the teacher shortage in the Commonwealth in consultation with the Virginia Community College System, the Department of Education, and the Virginia School Boards Association. The Council is required to examine the causes of the teacher shortage in general, as well as shortages within specific teaching endorsement areas, and to develop strategies to mitigate such shortages.

Etc.

HB1314 Student eligibility for in-state tuition at public institutions of higher education; state subsidy. (Davis) If it amends any provision of law to increase the number of students who are eligible for in-state tuition at public institutions of higher education despite not being domiciled in the Commonwealth the General Assembly must reimburse each institution in an amount equal to the difference between the in-state tuition rate and out-of-state tuition rate for each student who becomes eligible as a result of the amendments and fund the educational and general programs of each institution at a level equal to or greater than the highest level of funding for educational and general programs in the preceding three years.

SB893 Virginia Freedom of Information Act; working papers and correspondence exemptions for university. (Petersen) Virginia Freedom of Information Act; working papers and correspondence exemptions for university presidents. Eliminates the working paper and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia.