

## RESOLUTION TO REVISE THE BY-LAWS OF THE VIRGINIA TECH BOARD OF VISITORS

**WHEREAS**, in compliance with statute (§23.1-307(D) *Code of Virginia, as amended*), the by-laws of the Board of Visitors require that whenever an increase to undergraduate tuition and/or mandatory fees is contemplated, the projected range of the planned increase and an explanation of the need for the increase to be provided to students and the public at least 30 days prior to the Board voting on the resolution; and,

**WHEREAS**, legislation passed by the 2019 Virginia General Assembly and signed into law by Governor Northam (§23.1-307(E) *Code of Virginia, as amended*) requires the governing board of each public institution of higher education to permit public comment on the proposed increase at a meeting (as defined in (§2.2-3701) of the governing board and to establish policies for such public comment, which may include reasonable time limitations; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Visitors of Virginia Polytechnic Institute and State University hereby approves the proposed revisions to the “By-laws of the Board of Visitors of Virginia Polytechnic Institute and State University, Article I, Section 5b” as follows, effective immediately.

### Current:

#### **Section 5b. Resolutions for Tuition and Fees**

Notwithstanding the provisions of Section 5a, when an increase to undergraduate tuition and/or mandatory fees is contemplated, the proposal shall be provided to the Board Secretary in sufficient time to enable notice of the projected range of the planned increase and an explanation of the need for the increase to be provided to students and the public at least 30 days prior to voting on the resolution. The proposal will be shared with Board members concurrently with notification to the students and public. The Board Secretary will compile any feedback received and share it with the Board prior to their voting. (§23.1-307(D), *Code of Virginia, as amended*)

### Proposed:

#### **Section 5b. Resolutions for Tuition and Fees**

Notwithstanding the provisions of Section 5a, when an increase to undergraduate tuition and/or mandatory fees is contemplated, the proposal shall be provided to the Board Secretary in sufficient time to enable notice of the projected range of the planned increase and an explanation of the need for the increase to be provided to students and the public at least 30 days prior to voting on the resolution. The proposal will be shared with Board members concurrently with notification to the students and public. ~~The Board Secretary will compile any feedback received and share it with the Board prior to their voting.~~ (§23.1-307(D), *Code of Virginia, as amended*)

Additionally, the Board will permit public comment on the proposed increase at a meeting (as defined in §2.2-3701, *Code of Virginia*, as amended) of the Board. The Governance and Administration Committee or other appropriate committee of the Board will develop guidelines for such public comment to include reasonable time limitations and the manner in which such comment will be shared with the Board. (§23.1-307(E), *Code of Virginia*, as amended)

**RECOMMENDATION:**

That the proposed revisions to the By-laws of the Virginia Tech Board of Visitors be approved, effective immediately.

August 26, 2019

## GUIDELINES FOR VIRGINIA TECH PUBLIC COMMENT PERIOD ON TUITION/FEE INCREASES

*Code of Virginia, §23.1-307(D)* – No governing board of any public institution of higher education shall approve an increase in undergraduate tuition or mandatory fees without providing students and the public a projected range of the planned increase, an explanation of the need for the increase, and notice of the date and location of any vote on such increase at least 30 days prior to such vote.

*Code of Virginia, §23.1-307(E)* – Prior to any vote referenced in subsection D, the governing board of each public institution of higher education shall permit public comment on the proposed increase at a meeting, as that term is defined in §2.2-3701, of the governing board. Each such governing board shall establish policies for such public comment, which may include reasonable time limitations.

- Virginia Tech will hold a budget workshop for the public followed by a public comment period whenever any type of tuition increase is proposed, including but not limited to in-state, out-of-state, undergraduate, graduate, and differential tuition rates for specific programs. This workshop/public comment period will be held during the 30-day window between the date that the public notice is given of the range of the tuition/mandatory fee increase and the Board's vote on tuition and fees. Public notice for these meetings will be given as required by law.
- At least three BOV members will be present for the public comment period, including at a minimum the Rector or Vice Rector and members of the Finance and Resource Management Committee.
- The workshop will begin with a presentation delivered by the university administration that gives the background and history of the university's tuition and fees and factors considered in developing the proposed percentage change and will be followed by a public comment period.
- Speakers must pre-register on a first-come, first-served basis for the public comment period with the Board Secretary at least 7 days in advance. Speakers will be asked to specify their affiliation with the university, e.g, current student, parent, alum, faculty/staff, member of the public.
- Following the public presentation, the public comment period would be held for 60 minutes. If time remains during the one-hour public comment period after the pre-registered speakers offer their comments, additional speakers may be offered the opportunity to speak during the remaining time.
- There will be dedicated time slots for a representative from the Student Government Association and from the Graduate Student Assembly to provide a statement on behalf of their respective constituency. This does not preclude individual students from registering to speak during the public comment period or from providing written comments.
- Each speaker is limited to 3 minutes and must restrict their comments to tuition and fees only. Speakers wishing to have their comments entered in the public record must bring a typed copy.
- In lieu of oral comments, written comments will be accepted from the date that the public notice is issued until 7 days prior to the meeting at which the BOV considers tuition and fee increases and may be submitted in hard copy, via email, or online. Instructions for doing so will be included in the public notice.
- The BOV will not respond to oral or written comments.
- The BOV periodically will review these public comment guidelines, re-evaluate the time allotted for public comment based on demand, and modify the guidelines as appropriate.