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HOUSE JOINT RESOLUTION NO. 553

Offered January 23, 1995

Establishing the Virginia Plan for Equal Opportunity in Higher Education Commission.

Patrons—Hall, Ball, Christian, Cunningham, Jones, D.C. and Van Landingham; Senators: Lambert and Marsh

Referred to Committee on Rules

WHEREAS, current economic and labor trend analyses indicate that by the year 2000 most jobs will require at least two years of college education; and

WHEREAS, African American students continue to be under represented in institutions of higher education at all levels and among the professions; and

WHEREAS, as a result of the 1970 federal court decision in *Adams*, Virginia, together with nine other states, was required to submit a plan for removing the remaining vestiges of the state's dual system of higher education to the U. S. Office for Civil Rights as a means to remedy the under representation of minorities in Virginia institutions of higher education; and

WHEREAS, in response to the federal court order, the Virginia Plan for Equal Opportunity in Higher Education was enacted and funded by the General Assembly to increase higher education opportunities for minorities through (i) better dissemination of and access to information on academic preparation, college admission requirements, graduate education, professional career opportunities, and availability of financial aid; (ii) the implementation of certain initiatives to enhance diversity among faculty, staff, and students; and (iii) improvements to the physical facilities of certain public college and universities; and

WHEREAS, to support these efforts, the Monitoring and Advisory Committee was informally established in the Office of the Secretary of Education to assist the state in its efforts to remove the remaining vestiges of the dual system of higher education, and address the problems, issues, and needs which contributed to the state's dilemma; and

WHEREAS, the U. S. Office for Civil Rights has officially notified the original *Adams* states, including Virginia, of its intent to review and evaluate the desegregation efforts of such states in light of the decision in *U. S. v. Fordice*, 112 S.Ct. 2727 (1992); and

WHEREAS, although the Commonwealth has made considerable progress over the years in equalizing educational opportunities, problems still remain and more work must be done to satisfy Virginia's agreement with the U. S. Office for Civil Rights to achieve parity among public institutions of higher education; and

WHEREAS, a recent report of the Joint Legislative Audit and Review Commission on the evaluation of the State Council of Higher Education noted the need for clear articulation of responsibilities and oversight for the state's equal education opportunity programs and accountability to the General Assembly; and

WHEREAS, the findings of the Joint Subcommittee Studying the Status of and Need for Academic Preparation, Financial Aid, and Incentive Programs to Encourage Minorities to Pursue Postsecondary Education and Training, pursuant to HJR 199 (1994), has determined that a formal mechanism for monitoring and evaluating the Virginia Plan for Equal Opportunity in Higher Education and that an entity accountable to the legislature must be created and charged to analyze and apprise the Governor and the General Assembly concerning the effect of public policies on minorities' access to higher education in Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Plan for Equal Opportunity in Higher Education Commission be established. The Commission shall be composed of nine members as follows: four members of the House of Delegates, of whom two shall be members of the Joint Subcommittee Studying the Status of and Need for Academic Preparation, Financial Aid, and Incentive Programs to Encourage Minorities to Pursue Postsecondary Education and Training, pursuant to HJR 199 (1994), appointed by the Speaker of the House; three members of the Senate, of whom two shall be members of the Joint Subcommittee Studying the Status of and Need for Academic Preparation, Financial Aid, and Incentive Programs to Encourage Minorities to Pursue Postsecondary Education and Training, pursuant to HJR 199 (1994), to be appointed by the Senate Committee on Privileges and Elections; and two citizens, one each to be appointed by the Speaker of the House of Delegates and the Senate Committee on Privileges and Elections.

The Commission shall, in collaboration with the Joint Subcommittee Studying the Status of and Need for Academic Preparation, Financial Aid, and Incentive Programs to Encourage Minorities to Pursue Postsecondary Education and Training, (i) review the findings and recommendations of the Joint

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HJ553

60 Legislative Audit and Review Commission relative to improving equal education opportunity programs;
61 (ii) monitor, evaluate, and apprise the General Assembly concerning the status of the Virginia Plan for
62 Equal Opportunity in Higher Education, initiatives implemented or needed to effect greater diversity
63 among public two-year and four-year institutions of higher education, including faculty, administration,
64 and staff; (iii) identify and evaluate those factors and public policies which impact, positively and
65 negatively, the number of minorities academically prepared for college, and their representation at all
66 levels of higher education, including graduate and professional schools; (iv) determine whether the
67 "13-point criteria" issued by the U. S. Office for Civil Rights in 1988 has been fully satisfied; (v)
68 evaluate the potential effects of current and proposed policies and budget reductions on the Plan and
69 desegregation efforts in Virginia's higher education system; and (vi) examine such other matters as the
70 Commission may deem appropriate.

71 The Division of Legislative Services shall provide staff support to the Commission. All agencies of
72 the Commonwealth shall provide assistance to the Commission, upon request.

73 The direct costs of this study shall not exceed \$7,750.

74 The Commission shall complete its work in time to submit its findings and recommendations to the
75 Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division
76 of Legislative Automated Systems for processing legislative documents.

77 Implementation of this resolution is subject to subsequent approval and certification by the Joint
78 Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the
79 study.