

**Department of Planning and Budget**  
**2026 General Assembly Session**  
**State Fiscal Impact Statement**

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**PUBLISHED: 2/23/2026 11:14 AM**

**ORIGINAL**

**Bill Number:** SB494S1

**Patron:** Deeds

**Bill Title:** Higher educational institutions public; membership of governing boards.

**Bill Summary:** Revises the membership requirements for the governing board of each public institution of higher education by (i) increasing from four years to six years the term of each member of the governing board of each public institution of higher education; (ii) prohibiting consecutive terms and requiring two years between multiple terms; and (iii) clarifying matters relating to the confirmation process of gubernatorial appointees. The bill also requires the governing board of each baccalaureate public institution of higher education to appoint to the governing board (a) one faculty representative as a nonvoting advisory member, elected by the majority of the institution's faculty or the institution's faculty senate or its equivalent; (b) one staff representative as a nonvoting advisory member, elected by a majority of the institution's staff; and (c) one student representative as a nonvoting advisory member, selected from a list of individuals nominated by such institution's student government or an equivalent organization or body. The bill also clarifies the quorum requirements for the governing board of a baccalaureate public institution of higher education and the executive committee of a governing board, and requires the governing board of each public institution of higher education to adopt policies defining and implementing shared governance among the components of the institution's organizational structure. Additionally, the bill (a) clarifies the primary duties of the governing boards of public institutions of higher education with certain enumerated restrictions; and (b) restricts the organizations or entities with whom the State Council of Higher Education for Virginia (SCHEV) can contract with for the development or delivery of educational programs or training of members of governing boards of public institutions of higher education.

The bill directs SCHEV to convene a work group for the purpose of developing model shared governance policies, in accordance with the provisions of the bill, and to make such model shared governance policies available to the governing board of each public institution of higher education by January 1, 2027. Finally, the bill also directs SCHEV to convene a work group for the purpose of studying and making recommendations on (i) a process by which (a) the governing board of any public institution of higher education, the Governor, General Assembly, or a committee thereof may request the Attorney General to review the adequacy of legal representation for any institution if it is found that the Office of General Counsel or any other legal representation is not acting in the best interest of the institution and (b) the governing board may request additional representation or approve alternative counsel, and (ii) policies for requiring any individual member of a governing board to recuse himself from or not participate in any vote or decision on any matter in which he has a personal or pecuniary interest or any partisan or ideological interest that would compromise his ability to vote or act objectively and in accordance with the primary duties of the governing board. SCHEV shall make such recommendations available to the Chairs of the Senate Committee on Education and Health and the House Committee on Education by November 1, 2026.

**Budget Amendment Necessary:** No

**Items Impacted:** None

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**Explanation:** Institutions and the State Council of Higher Education for Virginia will absorb any fiscal impact.

**Fiscal Summary:** Responding public institutions of higher education estimate there will be no significant fiscal impact as a result of this bill. It is anticipated the institutions will absorb any impacts with existing resources.

The State Council of Higher Education for Virginia expects to absorb any costs associated with this bill with existing resources.

**Other:** This fiscal impact statement is preliminary and based on feedback received from agencies as of the date of publication.