



VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

COMMONWEALTH OF VIRGINIA

Senator Richard H. Stuart, Chair
Delegate Luke E. Torian, Vice-Chair

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June 18, 2019

10:00 AM

**Subcommittee Room 300A
Pocahontas Building, Richmond, Virginia
PROPOSED AGENDA (Annotated)**

**Donor Records Subcommittee
of the Virginia Freedom of Information Advisory Council**

1. **Call to Order, introduction of members.**
2. **Election of Chair.**
3. **Bill referred by the 2019 Session of the General Assembly.** *At its meeting on May 8, 2019, the FOIA Council referred the following bill to the subcommittee for study, as summarized below.*
 - **House Bill 2386. Public institutions of higher education; information relating to pledges and donations. (Bulova)** Requires public institutions of higher education, when accepting a donation, gift, or similar financial support that is conditioned upon the acceptance of certain terms and conditions by the public institution of higher education, to provide the donor with a written document acknowledging the public institution of higher education's acceptance of such terms and conditions. The bill requires the public institution of higher education to retain a copy of such document and provides that such document shall be subject to the provisions of the Virginia Freedom of Information Act (FOIA). The bill provides that no discretionary exclusion in FOIA shall apply to protect information relating to the amount, date, purpose, and terms of a pledge or donation made to a public institution of higher education. The bill provides that the identity of the donor shall be protected only if (a) the donor has requested anonymity in connection with or as a condition of making a pledge or donation and (b) the pledge or donation does not impose terms or conditions related to academic decision-making.

4. **Public Comment.**
5. **Discussion.**
6. **Recommendations.**
7. **Other Business.**
8. **Adjournment.**

Subcommittee Members

**William "Billy" Coleburn
Stephanie Hamlett
Cullen Seltzer**

**Michael Stern
Mark Vucci**

Staff

Alan Gernhardt, Esq., Executive Director
Ashley Binns, Esq., Attorney