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HOUSE BILL NO. 2139

Offered January 14, 2015

Prefiled January 14, 2015

A *BILL to amend the Code of Virginia by adding in Chapter 1 of Title 23 a section numbered 23-9.2:15, relating to institutions of higher education; reporting of felony criminal sexual assault; academic transcript hold.*

Patrons—Toscano; Senator: Deeds

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 1 of Title 23 a section numbered 23-9.2:15 as follows:

§ 23-9.2:15. Reporting of felony criminal sexual assault; academic transcript hold.

A. *Any administrator employed by an institution of higher education, except in the case of administrators employed by the University of Virginia at the University of Virginia Medical Center, who through the course of his employment obtains information alleging that a felony criminal sexual assault set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 has been committed by or against an enrolled student shall report such information no later than 24 hours after obtaining such information to the law-enforcement agency serving the locality in which the institution is located or serving the locality in which the alleged violation occurred, unless such report would be a violation of applicable state or federal law.*

B. *Any campus police officer employed by an institution of higher education who through the course of his employment obtains information alleging that a felony criminal sexual assault set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 has been committed by or against an enrolled student shall report such information no later than 24 hours after obtaining such information to the attorney for the Commonwealth serving the locality in which the institution is located or serving the locality in which the alleged violation occurred, unless such report would be a violation of applicable state or federal law.*

C. *The registrar of each institution of higher education or the other employee, office, or department of the institution that is responsible for maintaining student academic records shall place a hold on the academic transcript of each student who is alleged to have committed a felony criminal sexual assault set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 until such time as the institution deems it appropriate to release such hold.*

2. That the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, shall develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting of any alleged violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia to law enforcement by an administrator of a public institution of higher education.

INTRODUCED

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