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SENATE BILL NO. 1192

Offered January 14, 2015

Prefiled January 13, 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; sexual misconduct policies.*

Patron—Norment

Referred to Committee on Education and Health

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. Sexual misconduct policies.

A. *The governing body of each public or private institution of higher education shall adopt a written sexual misconduct prevention, education, and response policy. Such policies shall address incidents of sexual misconduct involving any person or student organization associated with the institution whether occurring on or off campus. Such policies shall include:*

1. *Procedures for reporting sexual misconduct, including reporting hotlines and anonymous reporting;*

2. *Requirements, consistent with state and federal law, for the institution to report any alleged violation of § 18.2-61, 18.2-67.1, 18.2-67.2, or 18.2-67.3 in which a victim has been identified to local law enforcement;*

3. *Actions for a victim to take in the immediate aftermath of an incident, including information on and steps in seeking medical attention;*

4. *Information on victim support services available on campus or in the community, including any student counseling services, campus support groups, peer advocacy programs, community crisis centers, or victim support hotlines;*

5. *Information on bystander prevention strategies and information on student conduct education programs offered by the institution, student organizations, or community organizations; and*

6. *Information on the rights of the victim and the rights of the alleged offender.*

B. *The governing body of each public or private institution of higher education shall make its sexual misconduct policy available to all students, faculty, staff, and other full-time or part-time employees at the start of each academic year.*

C. *The governing body of each public or private institution of higher education shall submit proposed or revised sexual misconduct policies to the State Council of Higher Education for Virginia, the Department of Education, the House Committee on Education, and the Senate Committee on Education and Health.*

D. *The governing body of each public or private institution of higher education shall review its policy and make an annual report to the State Council of Higher Education for Virginia, the Department of Education, the House Committee on Education, and the Senate Committee on Education and Health.*

E. *A public institution of higher education that fails to comply with the provisions of this section shall be subject to a 10 percent reduction in general funds.*

F. *A private institution of higher education that fails to comply with the provisions of this section shall be ineligible to receive funds under the Tuition Assistance Grant Act (§ 23-38.11 et seq.).*

INTRODUCED

SB1192