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SENATE BILL NO. 1389

Offered January 11, 2017

Prefiled January 11, 2017

A BILL to amend and reenact § 23.1-900 of the Code of Virginia, relating to institutions of higher education; letter certifying good standing of certain students.

 Patron—Mason

 Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:**1. That § 23.1-900 of the Code of Virginia is amended and reenacted as follows:****§ 23.1-900. Academic transcripts; suspension, permanent dismissal, or withdrawal from institution.**

A. As used in this section, "sexual violence" means physical sexual acts perpetrated against a person's will or against a person incapable of giving consent.

B. The registrar of each (i) private institution of higher education that is eligible to participate in the Tuition Assistance Grant Program pursuant to the Tuition Assistance Grant Act (§ 23.1-628 et seq.) or to receive project financing from the Virginia College Building Authority pursuant to Article 2 (§ 23.1-1220 et seq.) of Chapter 12 and (ii) public institution of higher education, or the other employee, office, or department of the institution that is responsible for maintaining student academic records, shall include a prominent notation on the academic transcript of each student who has been suspended for, has been permanently dismissed for, or withdraws from the institution while under investigation for an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct stating that such student was suspended for, was permanently dismissed for, or withdrew from the institution while under investigation for an offense involving sexual violence under the institution's code, rules, or set of standards. Such notation shall be substantially in the following form: "[Suspended, Dismissed, or Withdrew while under investigation] for a violation of [insert name of institution's code, rules, or set of standards]." Each such institution shall (a) notify each student that any such suspension, permanent dismissal, or withdrawal will be documented on the student's academic transcript ~~and~~; (b) adopt a procedure for removing such notation from the academic transcript of any student who is subsequently found not to have committed an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct; *and (c) require the dean of students or similar such individual at any other institution of higher education within or outside the Commonwealth to submit to it a letter certifying the good standing of any student who seeks admission to the institution that requires the letter of certification and who, at the time such student withdraws from the other institution within or outside the Commonwealth, is determined to be in good standing according to the institution's code, rules, or set of standards governing such a determination and is not under investigation or subject to any pending institutional proceedings for a violation of the institution's code, rules, or set of standards governing student conduct.*

C. The institution shall remove from a student's academic transcript any notation placed on such transcript pursuant to subsection B due to such student's suspension if the student (i) completed the term and any conditions of the suspension and (ii) has been determined by the institution to be in good standing according to the institution's code, rules, or set of standards governing such a determination.

D. The provisions of this section shall apply only to a student who is taking or has taken a course at a public institution of higher education or private institution of higher education on a campus that is located in the Commonwealth; however, the provisions of this section shall not apply to any public institution of higher education established pursuant to Chapter 25 (§ 23.1-2500 et seq.).

INTRODUCED

SB1389