

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 4 of Title 23.1 a section numbered*
3 *23.1-412, relating to public institutions of higher education; non-academic student codes of conduct.*

4 [H 104]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Chapter 4 of Title 23.1 a section numbered**
8 **23.1-412 as follows:**

9 **§ 23.1-412. Non-academic student codes of conduct.**10 *A. Each public institution of higher education shall adopt non-academic student codes of conduct.*

11 *B. Students and student organizations that participate in the non-academic student codes of conduct*
12 *process as a complainant or respondent shall have the responsibilities and rights afforded to them by*
13 *the institution's codes of conduct and related policies and procedures. The codes of conduct shall*
14 *describe and define the rights and responsibilities of all enrolled students and student organizations and*
15 *shall outline each step in the institution's procedures for responding to and resolving allegations of*
16 *violations.*

17 *C. For violations that may result in a student or student organization facing the sanctions of*
18 *suspension or expulsion, the non-academic student codes of conduct shall include:*

19 *1. The requirement that the accused student or student organization receive reasonable notice of the*
20 *alleged violation, a general summary of the complaint, contact information of an institution's employee*
21 *to receive additional information, and the date by which such contact must occur;*

22 *2. The opportunity for the accused student or student organization to present their version of events*
23 *giving rise to the allegations;*

24 *3. The opportunity for the accused student or student organization to review and respond to*
25 *information presented to the decision maker;*

26 *4. The opportunity for the accused student or student organization to select an advisor of their*
27 *choice;*

28 *5. The opportunity for the accused student or student organization to present information by relevant*
29 *and noncumulative witnesses;*

30 *6. The right of the accused student or student organization to not participate in proceedings;*

31 *7. The requirement that the complainant and respondent receive notice of the outcome of the*
32 *proceedings;*

33 *8. A decision maker free from actual bias; and*

34 *9. A description of any internal appeal process.*

35 *D. The provisions of this section shall not apply to any public institution of higher education*
36 *established pursuant to Chapter 25 (§ 23.1-2500 et seq.).*

ENROLLED

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