

VIRGINIA ACTS OF ASSEMBLY -- 2024 RECONVENED SESSION

CHAPTER 805

An Act to amend the Code of Virginia by adding a section numbered 22.1-23.4, relating to Department of Education; development of Title IX and sexual harassment prevention training modules for students in the ninth and tenth grades.

[H 215]

Approved April 17, 2024

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-23.4 as follows:

§ 22.1-23.4. Title IX and sexual harassment prevention training; policies.

A. As used in this section, "sexual harassment" has the same meaning as described in 34 C.F.R. § 106.30(a) and includes sexual assault, dating violence, domestic violence, stalking, and other gender or sex-based verbal or physical misconduct.

B. The Department shall develop, in collaboration with organizations that serve sexual harassment victims, culturally appropriate, age-appropriate, and trauma-informed Title IX and sexual harassment prevention training modules and shall make such training modules available to each school board for the education of students in the ninth and tenth grades. Such training modules shall discuss:

- 1. Title IX (20 U.S.C. § 1681 et seq.) rights and protections;*
- 2. The law and meaning of consent;*
- 3. Prevention of sexual harassment; and*
- 4. Reporting of sexual harassment.*

C. The Department shall revise the Title IX and sexual harassment prevention training modules developed pursuant to subsection B and make such revised modules available to each school board no later than December 31 of each year to ensure that the such training modules conform to the standards pursuant to subsection B and comply with applicable state and federal law.

D. Each school board may adopt policies to require all students in the ninth and tenth grades to complete the sexual harassment modules developed by the Department pursuant to subsection B. Each school board shall also:

1. Allow all such students to opt-out of participating in the completion of such training modules by request of the student's parents if such student is under the age of 18, or by request of the student if such student is 18 years of age or older; and

2. Ensure that all such students are provided information about school counseling services and the supportive measures and formal complaint procedures available to them, as required under Title IX (20 U.S.C. § 1681 et seq.), in the school they attend as part of the training modules developed pursuant to subsection B.

2. That the Department of Education shall develop and make available to each school board no later than July 1, 2025, the training modules described in subsection B of § 22.1-23.4 of the Code of Virginia, as created by this act.

3. That each school board shall adopt policies pursuant to subsection D of § 22.1-23.4 of the Code of Virginia, as created by this act, no later than the beginning of the 2025-2026 school year.