

VIRGINIA ACTS OF ASSEMBLY -- 2015 RECONVENED SESSION

CHAPTER 771

An Act to amend the Code of Virginia by adding in Chapter 1 of Title 23 a section numbered 23-9.2:15, relating to academic transcripts; suspension, permanent dismissal, or withdrawal from institution.

[S 1193]

Approved April 30, 2015

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. Academic transcripts; suspension, permanent dismissal, or withdrawal from institution.

A. *The registrar of each (i) private institution of higher education that is eligible to participate in the Tuition Assistance Grant Program or to receive project financing from the Virginia College Building Authority pursuant to the Educational Facilities Authority Act of 1972 (§ 23-30.39 et seq.) 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. For purposes of this section, "sexual violence" means physical sexual acts perpetrated against a person's will or against a person incapable of giving consent.*

B. *The institution shall remove from a student's academic transcript any notation placed on such transcript pursuant to subsection A due to such student's suspension if the student (i) completed the term of the suspension and any conditions thereof 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.*

C. *The provisions of this section shall apply only to a student who is taking or has taken a course at a campus of a public or private institution of higher education located in the Commonwealth; however, the provisions of this section shall not apply to any public institution of higher education established pursuant to Chapter 10 (§ 23-92 et seq.).*