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HOUSE BILL NO. 1374

Offered January 20, 2026

A BILL to amend and reenact §§ 23.1-412, 23.1-603, 23.1-900, 23.1-907, 23.1-1300, and 23.1-2700 of the Code of Virginia; to amend the Code of Virginia by adding in Chapter 27 of Title 23.1 an article numbered 2, consisting of sections numbered 23.1-2706 through 23.1-2715; and to repeal Chapter 25 (§ 23.1-2500 et seq.) of Title 23.1 of the Code of Virginia, relating to Virginia Military Institute; governance.

Patron—Feggans

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 23.1-412, 23.1-603, 23.1-900, 23.1-907, 23.1-1300, and 23.1-2700 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 27 of Title 23.1 an article numbered 2, consisting of sections numbered 23.1-2706 through 23.1-2715, as follows:

§ 23.1-412. Non-academic student codes of conduct.

A. Each public institution of higher education shall adopt non-academic student codes of conduct.

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

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

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

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

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

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

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

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

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

8. A decision maker free from actual bias; and

9. A description of any internal appeal process.

D. The provisions of this section shall not apply to any public institution of higher education established pursuant to Chapter 25 Article 2 (§ 23.1-2500 et seq.) of Chapter 27.

§ 23.1-603. State cadets; Mary Baldwin College and Virginia Polytechnic Institute and State University; financial assistance awards.

From funds appropriated by the Commonwealth to Mary Baldwin College for the Virginia Women's Institute for Leadership and to Virginia Polytechnic Institute and State University, each such institution's governing board may provide for financial assistance awards to students designated as state cadets on terms and conditions comparable to the provisions of § 23.1-2506 23.1-2710.

§ 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

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HB1374

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; (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) adopt a policy for the expungement of such notation for good cause shown and after a period of three years.

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 Article 2~~ (§ 23.1-2500 23.1-2706 et seq.) of Chapter 27.

§ 23.1-907. Articulation, dual admissions, and guaranteed admissions agreements; admission of certain comprehensive community college graduates.

A. The board of visitors of each baccalaureate public institution of higher education shall develop, consistent with Council guidelines and the institution's six-year plan as set forth in § 23.1-306, articulation, dual admissions, and guaranteed admissions agreements with each associate-degree-granting public institution of higher education. Such guaranteed admissions agreements may provide for the guaranteed admission of a student who earns an associate degree concurrently with a high school diploma through a dual enrollment program, in addition to any guaranteed admission for a student who earns an associate degree post-high school.

B. The System, in cooperation with the Council and each public institution of higher education, and consistent with the guidelines developed pursuant to subdivision 20 of § 23.1-203, shall establish a one-semester Passport Program and a one-year Uniform Certificate of General Studies Program. The Passport Program shall consist of 15 course credit hours and shall be a component of the 30-credit-hour Uniform Certificate of General Studies Program. Each Uniform Certificate of General Studies Program and Passport Program course shall be transferable and shall satisfy a lower division general education requirement at any public institution of higher education. The Uniform Certificate of General Studies Program and Passport Program shall be available at each comprehensive community college and through the Online Virginia Network.

C. The Council shall establish procedures under which a baccalaureate public institution of higher education may seek a waiver from the Council from accepting the transfer of a Uniform Certificate of General Studies Program or Passport Program course to satisfy the requirements for the completion of a specific pathway or degree. A waiver shall not be granted allowing a baccalaureate public institution to (i) generally reject the transfer of all coursework that is a part of the Uniform Certificate of General Studies Program or Passport Program or (ii) generally reject the transfer of a course from the Uniform Certificate of General Studies Program or Passport Program for all pathway maps and degrees. An application for a waiver shall identify with particularity the course for which the institution is seeking a waiver and the particular pathway or degree to which the waiver would apply. The application shall provide justification for the waiver and shall designate alternative courses offered through the System that may be completed by a student in order to complete a transferable, 30-credit-hour Uniform Certificate of General Studies or 15-credit-hour Passport. The Council shall adopt guidelines regarding the criteria to be used to review and issue decisions regarding waiver requests. Such waiver requests shall only be granted if the baccalaureate public institution of higher education provides evidence that the specified pathway or degree requires a specialized, lower division course not available through the System. Once approved, notice of a waiver granted by the Council shall be included in the online portal established pursuant to § 23.1-908.

D. The Council shall develop guidelines for associate-degree-granting and baccalaureate public institutions of higher education to use in mapping pathways for the completion of credits in particular programs of study, including the courses recommended to be taken in a dual enrollment, comprehensive community college, and baccalaureate public institution setting in order to pursue a specific degree or career. Such guidelines shall define the elements of a pathway map and identify the pathway maps to be developed. Initial guidelines adopted for mapping such pathways shall establish a multiyear schedule for the development and implementation of pathway maps for all fields of study.

E. Each baccalaureate public institution of higher education, in cooperation and consultation with the System, shall develop pathway maps consistent with the guidelines established pursuant to subsection D. Such pathways maps shall clearly set forth the courses that a student at a comprehensive community college is encouraged to complete prior to transferring to the baccalaureate institution. The goal of the career education pathway maps shall be to assist students in achieving optimal efficiencies in the time and cost of

completing a degree program. Such program map shall also clearly identify the courses, if any, for which the baccalaureate institution has received a waiver from transfer pursuant to subsection C.

F. The Council shall prepare a comprehensive annual report on the effectiveness of transferring from comprehensive community colleges to baccalaureate public institutions of higher education, including a review of the effectiveness of the use of pathway maps in achieving efficiencies and cost savings in the completion of a degree program. The report shall include the following elements: completion rates, average time to degree, credit accumulation, post-transfer student academic performance, and comparative efficiency. The Council shall adopt guidelines for data submission from public institutions of higher education necessary for such report, and all institutions shall report such data in accordance with the guidelines. The report shall be made publicly available on the Council website and on the online portal maintained pursuant to § 23.1-908.

G. Each comprehensive community college shall develop agreements for postsecondary credit and degree attainment with the public high schools in the school divisions that such comprehensive community college serves specifying the options for students to complete an associate degree, the Passport Program, or the Uniform Certificate of General Studies Program concurrent with a high school diploma consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13 of Title 22.1. Such agreements shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

H. The provisions of this section shall not apply to any public institution of higher education established pursuant to ~~Chapter 25 Article 2 (§ 23.1-2500~~ 23.1-2706 et seq.) of Chapter 27.

§ 23.1-1300. Members of governing boards; removal; terms; nonvoting, advisory representatives; residency.

A. Members appointed by the Governor to the governing boards of public institutions of higher education shall serve for terms of four years. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. No member appointed by the Governor to such a governing board shall serve for more than two consecutive four-year terms; however, a member appointed by the Governor to serve an unexpired term is eligible to serve two consecutive four-year terms immediately succeeding such unexpired term. Except as otherwise provided in § 23.1-2601, all appointments are subject to confirmation by the General Assembly. Members appointed by the Governor to the governing board of a public institution of higher education shall continue to hold office until their successors have been appointed and qualified. Ex officio members shall serve a term coincident with their term of office.

B. No member appointed by the Governor to the governing board of a public institution of higher education who has served two consecutive four-year terms on such board is eligible to serve on the same board until at least four years have passed since the end of his second consecutive four-year term.

C. Notwithstanding the provisions of subsection E or any other provision of law, the Governor may remove from office for malfeasance, misfeasance, incompetence, or gross neglect of duty any member of the board of any public institution of higher education and fill the vacancy resulting from the removal.

D. The Governor shall set forth in a written public statement his reasons for removing any member pursuant to subsection C at the time the removal occurs. The Governor is the sole judge of the sufficiency of the cause for removal as set forth in subsection C.

E. If any member of the governing board of a public institution of higher education fails to attend (i) the meetings of the board for one year without sufficient cause, as determined by a majority vote of the board, or (ii) the educational programs required by § 23.1-1304 in his first two years of membership without sufficient cause, as determined by a majority vote of the board, the remaining members of the board shall record such failure in the minutes at its next meeting and notify the Governor, and the office of such member shall be vacated. No member of the board of visitors of a baccalaureate public institution of higher education or the State Board for Community Colleges who fails to attend the educational programs required by § 23.1-1304 during his first four-year term is eligible for reappointment to such board.

F. The governing board of each public institution of higher education shall adopt in its bylaws policies (i) for removing members pursuant to subsection E and (ii) referencing the Governor's power to remove members described in subsection C.

G. The governing board of each public institution of higher education and each local community college board may appoint one or more nonvoting, advisory faculty representatives to its respective board. In the case of local community college boards and boards of visitors, such representatives shall be chosen from individuals elected by the faculty or the institution's faculty senate or its equivalent. In the case of the State Board, such representatives shall be chosen from individuals elected by the Chancellor's Faculty Advisory Committee. Such representatives shall be appointed to serve (i) at least one term of at least 12 months, which shall be coterminous with the institution's fiscal year or (ii) for such terms as may be mutually agreed to by the State Board and the Chancellor's Faculty Advisory Committee, or by the local community college board or the board of visitors, and the institution's faculty senate or its equivalent.

H. The board of visitors of any baccalaureate public institution of higher education shall appoint one or more students as nonvoting, advisory representatives. Such representatives shall be appointed under such

circumstances and serve for such terms as the board of visitors of the institution shall prescribe.

I. Nothing in subsections G and H shall prohibit the governing board of any public institution of higher education or any local community college board from excluding such nonvoting, advisory faculty or student representatives from discussions of faculty grievances, faculty or staff disciplinary matters or salaries, or any other matter.

J. ~~The president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education shall be a resident of the Commonwealth.~~

K. No baccalaureate public institution of higher education shall employ an individual appointed by the Governor to the board of visitors of such institution within two years of the expiration of his term. Such prohibition shall not apply to the employment of an individual to serve as an institution president or, in the case of Virginia Military Institute, the Superintendent.

CHAPTER 27.

VIRGINIA STATE UNIVERSITY; *VIRGINIA MILITARY INSTITUTE.*

Article 1.

Virginia State University.

§ 23.1-2700. Corporate name; name of the University.

A. The board of visitors of Virginia State University (the board) is a corporation under the name and style of "The Visitors of Virginia State University" and has, in addition to its other powers, all the corporate powers given to corporations by the provisions of Title 13.1 except those powers that are confined to corporations created pursuant to Title 13.1. The board shall at all times be under the control of the General Assembly.

B. The institution shall be known as Virginia State University (the University).

C. All laws relating to Virginia State College or the board of visitors of Virginia State College shall be construed as relating to the University or the board, respectively.

D. In addition to the powers and duties set forth in this article, the board shall govern Virginia Military Institute as set forth in Article 2 (§ 23.1-2706 et seq.).

Article 2.

Virginia Military Institute.

§ 23.1-2706. Corporate name; name of the Institute.

A. *Virginia Military Institute (the Institute) is a separate institute under the supervision, management, and control of the board of visitors of Virginia State University (the board). The Institute shall report to the board in such manner as the board may coordinate and direct.*

B. The Institute shall be grounded in a strict code of honor and high academics, shall uphold a strict military structure, and shall remain solely an undergraduate degree-granting institution of higher education. All cadets shall participate in one of the Reserve Officers' Training Corps (ROTC) programs at all times while attending the Institute.

C. The Institute shall continue to demonstrate its commitment to contributing to the elimination of sexual violence in the military and shall develop reasonable policies and procedures to demonstrate such continued commitment.

D. There shall be paid out of the public treasury such sums as shall be appropriated by the General Assembly for the support of the school.

§ 23.1-2707. Power to receive gifts, grants, devises, and bequests.

The Institute, or the board on its behalf, may receive, take, hold, and enjoy any gift, grant, devise, or bequest made to the Institute or the board for charitable or educational purposes and use and administer any such gift, grant, devise, or bequest for the uses and purposes designated by the donor or for the general purposes of the Institute if no such designation is made.

§ 23.1-2708. Powers; removal of professors.

In addition to the authority provided elsewhere in this Code, a majority of the board may remove professors for good cause.

§ 23.1-2709. Enrollment.

The board shall prescribe the terms upon which cadets may be admitted, their number, the course of their instruction, and the nature and duration of their service.

§ 23.1-2710. State cadets.

A. *The Institute may admit annually as state cadets upon evidence of fair moral character individuals selected from the Commonwealth at large who are at least 16 but not more than 25 years old.*

B. *The board shall provide financial assistance equal to a state cadet applicant's demonstrated need up to the Institute's prevailing charges for tuition, mandatory fees, and other necessary charges.*

C. *Each state cadet who remains enrolled in the Institute for two years or more shall (i) teach in a public elementary or secondary school in the Commonwealth for two years within the three years immediately after leaving the Institute and report in writing to the superintendent of the Institute on or before the first day of June of each year succeeding the date of his leaving the Institute until he has discharged fully such obligation*

to the Commonwealth; (ii) serve an enlistment in the National Guard of the Commonwealth; (iii) serve for two years as an engineer for the Commonwealth Transportation Board; (iv) serve for two years as an engineer with the State Department of Health; (v) serve on active duty for two years as a member of some component of the Armed Services of the United States; or (vi) with the approval of the board, serve two years in any capacity as an employee of the Commonwealth.

D. Any cadet who fails to fulfill his obligation pursuant to subsection C shall repay all funds received from the Commonwealth. The board may excuse such cadet from any or all of these obligations in such cases as it determines is appropriate.

§ 23.1-2711. Virginia National Guard scholarship cadets.

A. The Institute may admit annually as Virginia National Guard scholarship cadets individuals who are at least 16 but not more than 25 years old.

B. The board shall provide financial assistance to such Virginia National Guard scholarship cadets for tuition, mandatory fees, and other necessary charges entirely from federal funds, Virginia National Guard funds, or private gifts. The federal funds, Virginia National Guard funds, or private gifts shall have no matching requirement.

C. Each Virginia National Guard scholarship cadet shall agree to serve as a commissioned officer in the Virginia National Guard for a term in accordance with Guard policy and regulation. Any cadet failing to fulfill his obligation to serve shall repay all funds received in support of his cost of education. The board, in consultation with the Virginia National Guard, may excuse such cadet from any or all of these obligations in such cases as it determines is appropriate.

§ 23.1-2712. Cadets a military corps; arsenal.

A. The cadets shall be a military corps under the command of the superintendent and constitute the guard of the Institute.

B. The arsenal and all its grounds and buildings shall belong to the Institute, and the board shall guard and preserve the arsenal, all its grounds and buildings, and all arms and other property in its grounds and buildings.

§ 23.1-2713. Conferring of degrees.

A. The Governor, the board, the superintendent, and the faculty of the Institute may confer a degree upon any qualified graduate.

B. As a board of a military institute, the board shall not confer honorary degrees.

§ 23.1-2714. Musicians.

The superintendent may enlist musicians for service at the Institute to be paid out of the annual appropriation provided for in § 23.1-2706.

§ 23.1-2715. Supply of water.

The Institute may acquire pursuant to Title 25.1 such springs, lands, and rights-of-way as may be necessary to procure a supply of water.

2. That Chapter 25 (§ 23.1-2500 et seq.) of Title 23.1 of the Code of Virginia is repealed.

3. That any contracts entered into or rules or regulations adopted by the board of visitors of Virginia Military Institute on behalf of or related to Virginia Military Institute shall continue in effect as though such contracts, rules, or regulations were agreed to or adopted by the board of visitors of Virginia State University.

4. That all real and tangible personal property, property rights, duties, contracts, and agreements of Virginia Military Institute vested in the board of visitors of Virginia Military Institute shall be, as of the effective date of this act, transferred to and taken as standing in the name of the board of visitors of Virginia State University.