

By Senator Book

32-00290-19

2019238__

1 A bill to be entitled
2 An act relating to sexual misconduct; creating s.
3 1004.098, F.S.; defining terms; requiring that a
4 postsecondary educational institution include a
5 notation on a student's academic transcript if the
6 student has been dismissed from the institution for a
7 sexual misconduct offense; requiring that the
8 institution notify the student of such notation;
9 requiring that institutions adopt procedures for
10 removing a notation from a student's academic
11 transcript under certain circumstances; requiring that
12 an institution remove the notation on a student's
13 academic transcript if the student fulfills certain
14 requirements; specifying a requirement for the
15 notation delineating a sexual misconduct offense on a
16 student's academic transcript; requiring the State
17 Board of Education to adopt rules and the Board of
18 Governors to adopt regulations; providing an effective
19 date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 1004.098, Florida Statutes, is created
24 to read:

25 1004.098 Sexual misconduct transcript notation; public and
26 independent colleges and universities; authority to adopt rules
27 and regulations.-

28 (1) DEFINITIONS.-As used in this section, the term:

29 (a) "Postsecondary educational institution" means a Florida

32-00290-19

2019238__

30 College System institution, a state university, or an
31 independent college or university that is eligible to
32 participate in the William L. Boyd, IV, Effective Access to
33 Student Education Grant Program under s. 1009.89.

34 (b) "Sexual misconduct" means fondling the genital area,
35 groin, inner thighs, buttocks, or breasts of a person; the oral,
36 anal, or vaginal penetration by or union with the sexual organ
37 of another; or the anal or vaginal penetration of another by any
38 other object.

39 (2) TRANSCRIPT NOTATION REQUIREMENT.—Each postsecondary
40 educational institution shall:

41 (a) Include a prominent notation on the academic transcript
42 of each student who is permanently dismissed, pursuant to s.
43 1006.60, for an offense involving sexual misconduct under the
44 institution's code of conduct.

45 (b) Notify the student that the permanent dismissal will be
46 documented on the student's academic transcript.

47 (3) NOTATION REMOVAL.—Each postsecondary educational
48 institution shall:

49 (a) Adopt a procedure in the institution's code of conduct
50 for removing a notation delineating a sexual misconduct offense
51 from the academic transcript of any student who is permanently
52 dismissed and is subsequently found not to have committed the
53 sexual misconduct offense.

54 (b) Remove the notation for a sexual misconduct offense
55 placed on a student's academic transcript if the student
56 fulfills the conditions for removal pursuant to the
57 postsecondary educational institution's notation removal
58 procedure.

32-00290-19

2019238__

59 (4) NOTATION.—The notation delineating a sexual misconduct
60 offense on a student's academic transcript must be in
61 substantially the following form: "Dismissed for a sexual
62 misconduct violation of (Name of institution's code of
63 conduct)."

64 (5) RULEMAKING AUTHORITY.—The State Board of Education
65 shall adopt rules, and the Board of Governors shall adopt
66 regulations, consistent with this section.

67 Section 2. This act shall take effect July 1, 2019.