

BOARD OF VISITORS MEETING
SATURDAY, JULY 13, 2002
2:30 P.M.
UPPER BRANDON PLANTATION
SPRING GROVE, VIRGINIA

AGENDA

1. Medical Center Legislative Proposal
(Mr. Sandridge)
2. Legislative Proposal to Amend the State
Statute on Hazing
(Mr. Sandridge)

UNIVERSITY OF VIRGINIA MEDICAL CENTER LEGISLATIVE PROPOSAL
Approval of legislative proposal for the 2003 Session

"Deems Licensure" Status Proposal for the Medical Center

The Medical Center is exempt from state licensure under Code of Virginia Section 32.1-124. However, there are many provisions in the Code that confer privileges, immunities, benefits and/or rights to "licensed hospitals." There is no reason to believe that there was any intention to exclude the Medical Center from any of these privileges, immunities, benefits and/or rights. The Medical Center proposes to amend a section of the codified autonomy for the Medical Center, specifically Code of Virginia Section 23-77.3(A), to create a general provision that "deems" the Medical Center to be in the category of a licensed hospital or a licensed health care provider in order for the Medical Center to receive the privileges, immunities, benefits and/or rights afforded licensed hospitals under the law. The Medical Center will continue to be exempt from licensure.

ACTION REQUIRED: Approval by the Board of Visitors

APPROVAL OF UNIVERSITY OF VIRGINIA MEDICAL CENTER
LEGISLATIVE PROPOSAL

WHEREAS, the Board of Visitors has reviewed a proposed legislative action to amend Section 23.77.3(A) of the Code of Virginia to provide that the Medical Center will be deemed to be a licensed hospital or a licensed health care provider in order for the Medical Center to receive the privileges, immunities, benefits and/or rights afforded licensed hospitals under Virginia law; and

WHEREAS, the Board of Visitors concludes that the proposed changes are prudent and in the best interest of the University;

RESOLVED that the Executive Vice President and Chief Operating Officer is authorized to seek legislation accomplishing the above-described purpose.

UNIVERSITY OF VIRGINIA LEGISLATIVE PROPOSAL TO AMEND
THE STATE STATUTE ON HAZING: Approval of legislative
proposal for the 2003 Session

Proposal to Revise Va. Code § 18.2-56

The state statute on hazing, Code of Virginia Section 18.2-56, proscribes hazing as a criminal offense and requires officials of public schools and universities to expel any student found guilty of hazing or mistreating another student so as to cause bodily injury. The University Judiciary Committee (UJC), in conjunction with the Vice President for Student Affairs, enforces the statute at the University. The statute has however caused unnecessary uncertainty in failing to offer any definition of what conduct constitutes "hazing" and whether all injuries, bruises, sleep deprivations etc would constitute "bodily injury," and because the current law arguably lacks proportionality so that even the slightest of injuries, i.e., rug burns, would require mandatory expulsion. The UJC has requested that the University seek legislation to include a clear definition of "hazing," and to require punishment of hazing in accordance with the University's published policies and procedures, which include the possibility of expulsion depending upon the seriousness of the misconduct. The University thus would seek clarification of statutory duties and to be empowered to exercise the same discretion with respect to other misconduct prohibited by the Standards of Conduct. The University is currently soliciting the support for the legislation from the other higher education institutions, which will likely result in some wording refinements.

ACTION REQUIRED: Approval by the Board of Visitors

APPROVAL OF UNIVERSITY OF VIRGINIA LEGISLATIVE PROPOSAL TO
AMEND THE STATE STATUTE ON HAZING:

WHEREAS, the Board of Visitors has reviewed proposed legislation to amend Section 18.2-56 of the Code of Virginia, in order to provide a definition of the term "hazing," and to require that acts of hazing be punished in accordance with the University's policies and procedure; and

WHEREAS, the Board of Visitors supports the University administration in seeking appropriate legislative amendment as aforesaid.

RESOLVED that the Executive Vice President and Chief Operating Officer is authorized in consultation with the General Counsel to seek appropriate legislation accomplishing the above-described purposes.