

1 HB122  
2 189395-1  
3 By Representative Williams (JD)  
4 RFD: Education Policy  
5 First Read: 09-JAN-18

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8 SYNOPSIS: This bill would require each board of  
9 trustees of a four-year college and the Board of  
10 Trustees of the Alabama Community College System to  
11 develop a comprehensive policy requiring students  
12 be notified that they have the right to remain  
13 silent in response to any questions about potential  
14 criminal conduct under investigation.

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16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 Relating to public institutions of higher education;  
21 to require each board of trustees of a four-year college or  
22 university and the Board of Trustees of the Alabama Community  
23 College System to develop a comprehensive policy requiring  
24 students be notified that they have the right to remain silent  
25 in response to any questions about potential criminal conduct  
26 under investigation.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) On or before January 1, 2019, the  
2 boards of trustees of each public four-year college or  
3 university and the Board of Trustees of the Alabama Community  
4 College System shall adopt a comprehensive policy requiring  
5 students be notified that they have the right to remain silent  
6 in response to any questions about potential criminal conduct  
7 under investigation and that silence will not tend to be  
8 self-incriminating.

9           (b) The comprehensive policy shall be implemented  
10 beginning with the 2020-2021 school year; and at a minimum,  
11 shall contain the following components:

12           (1) Application to school officials questioning  
13 students about potential criminal conduct subject to  
14 disciplinary proceedings.

15           (2) Guidelines that instruct the disciplinary  
16 adjudicators to not draw any inference from a refusal to  
17 answer questions.

18           (3) Guidelines that allow a student to have an  
19 attorney actively participate in disciplinary hearings.

20           Section 2. It is the intent of the Legislature that  
21 constitutionally created boards of trustees comply with the  
22 requirements of this act.

23           Section 3. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.