



Senate

General Assembly

File No. 373

January Session, 2025

Substitute Senate Bill No. 977

Senate, April 1, 2025

The Committee on Higher Education and Employment Advancement reported through SEN. SLAP of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT PROTECTING PARTICIPANTS IN TITLE IX PROCEEDINGS AT INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-55m of the general statutes is amended by
2 adding subsection (i) as follows (*Effective July 1, 2025*):

3 (NEW) (i) Any student or employee of an institution of higher
4 education who (1) reports or discloses to such institution that such
5 student or employee has been the victim of sexual assault, stalking or
6 intimate partner violence pursuant to this section, and (2) participates
7 in or provides testimony as part of such institution's investigation or
8 disciplinary procedures arising from such report shall be immune from
9 any civil liability on account of such report, disclosure, participation or
10 testimony, except for liability for perjury, unless such person acted in
11 bad faith or with malicious purpose.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2025</i>	10a-55m(i)
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HED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact. It establishes civil immunity for students and employees of institutions of higher education who report or participate in investigations of sexual assault, stalking, or intimate partner violence. The bill does not change current law regarding any potential liability of the state or the constituent units of higher education in such proceedings.

OLR Bill Analysis**sSB 977*****AN ACT PROTECTING PARTICIPANTS IN TITLE IX PROCEEDINGS
AT INSTITUTIONS OF HIGHER EDUCATION.*****SUMMARY**

This bill gives civil immunity to a higher education institution student or employee who reports or discloses to the institution having been a victim of sexual assault, stalking, or intimate partner violence and participates in the institution's investigation or disciplinary procedures. The immunity applies to the student's or employee's report or disclosure and participation or testimony in the institution's procedures but does not apply to perjury or if the student or employee acted in bad faith or maliciously.

EFFECTIVE DATE: July 1, 2025

BACKGROUND***Related Case***

In *Khan v. Yale University*, 347 Conn. 1 (2023), the Connecticut Supreme Court concluded that statements made in the university's disciplinary proceeding regarding an alleged sexual assault were not entitled to absolute immunity. The court stated that absolute immunity applies to statements made in a judicial or quasi-judicial proceeding and ruled that the university's proceeding did not qualify as quasi-judicial because it lacked adequate procedural safeguards to ensure the reliability of statements made in the proceeding.

The court also found that public policy supports a qualified privilege for statements made by individuals alleging sexual assault to proper authorities at higher education institutions. A qualified privilege protects statements that are not made maliciously. Based on the stage of the case before the court at that time, the court did not determine

whether it was appropriate to apply qualified immunity in the case.

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/13/2025)