



General Assembly

January Session, 2025

Raised Bill No. 7100

LCO No. 5502



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

***AN ACT REQUIRING INSTITUTIONS OF HIGHER EDUCATION IN THE
STATE TO DISCLOSE CERTAIN INFORMATION TO VICTIMS IN TITLE
IX PROCEEDINGS.***

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

1 Section 1. Subsection (b) of section 10a-55m of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2025*):

4 (b) Each institution of higher education shall adopt and disclose in
5 such institution's annual uniform campus crime report one or more
6 policies regarding sexual assault, stalking and intimate partner violence.
7 Such policy or policies shall include provisions for:

8 (1) Informing students and employees that, in the context of an
9 alleged violation of the policy or policies regarding sexual assault and
10 intimate partner violence, (A) affirmative consent is the standard used
11 in determining whether consent to engage in sexual activity was given
12 by all persons who engaged in the sexual activity, (B) affirmative
13 consent may be revoked at any time during the sexual activity by any

14 person engaged in the sexual activity, (C) it is the responsibility of each
15 person to ensure that he or she has the affirmative consent of all persons
16 engaged in the sexual activity to engage in the sexual activity and that
17 the affirmative consent is sustained throughout the sexual activity, (D)
18 it shall not be a valid excuse to an alleged lack of affirmative consent
19 that the student or employee responding to the alleged violation
20 believed that the student or employee reporting or disclosing the
21 alleged violation consented to the sexual activity (i) because the
22 responding student or employee was intoxicated or reckless or failed to
23 take reasonable steps to ascertain whether the student or employee
24 reporting or disclosing the alleged violation affirmatively consented, or
25 (ii) if the responding student or employee knew or should have known
26 that the student or employee reporting or disclosing the alleged
27 violation was unable to consent because such student or employee was
28 unconscious, asleep, unable to communicate due to a mental or physical
29 condition, or incapacitated due to the influence of drugs, alcohol or
30 medication, and (E) the existence of a past or current dating or sexual
31 relationship between the student or employee reporting or disclosing
32 the alleged violation and the responding student or employee, in and of
33 itself, shall not be determinative of a finding of affirmative consent;

34 (2) Detailing the procedures that students and employees of the
35 institution who report or disclose being the victim of sexual assault,
36 stalking or intimate partner violence may follow after the commission
37 of such assault, stalking or violence, regardless of where such incidences
38 occurred, including persons or agencies to contact and information
39 regarding the importance of preserving physical evidence of such
40 assault, stalking or violence;

41 (3) Providing students and employees of the institution who report
42 or disclose being the victim of sexual assault, stalking or intimate
43 partner violence both concise, written contact information for and, if
44 requested, professional assistance in accessing and utilizing campus,
45 local advocacy, counseling, health and mental health services, and
46 concise information, written in plain language, concerning the rights of

47 such students and employees to (A) notify law enforcement of such
48 assault, stalking or violence and receive assistance from campus
49 authorities in making any such notification, and (B) obtain a protective
50 order, apply for a temporary restraining order or seek enforcement of
51 an existing protective or restraining order, including, but not limited to,
52 orders issued pursuant to section 46b-15, 46b-38c, 53a-40e, 54-1k, 54-82q
53 or 54-82r, against the perpetrator of such assault, stalking or violence;

54 (4) Notifying such students and employees of any reasonably
55 available options for and available assistance from such institution in
56 changing academic, living, campus transportation or working situations
57 in response to sexual assault, stalking or intimate partner violence;

58 (5) Honoring any lawful protective or temporary restraining orders,
59 including, but not limited to, orders issued pursuant to section 46b-15,
60 46b-38c, 53a-40e, 54-1k, 54-82q or 54-82r;

61 (6) Disclosing a summary of such institution's student investigation
62 and disciplinary procedures, including clear statements advising that
63 (A) a student or employee who reports or discloses being a victim of
64 sexual assault, stalking or intimate partner violence shall have the
65 opportunity to request that an investigation begin promptly, (B) the
66 investigation and any disciplinary proceedings shall be conducted by
67 an official trained annually in issues relating to sexual assault, stalking
68 and intimate partner violence and shall use the preponderance of the
69 evidence standard in making a determination concerning the alleged
70 assault, stalking or violence, (C) both the student or employee who
71 reports or discloses the alleged assault, stalking or violence and the
72 student responding to such report or disclosure (i) are entitled to be
73 accompanied to any meeting or proceeding relating to the allegation of
74 such assault, stalking or violence by an advisor or support person of
75 their choice, provided the involvement of such advisor or support
76 person does not result in the postponement or delay of such meeting as
77 scheduled, and (ii) shall have the opportunity to present evidence and
78 witnesses on their behalf during any disciplinary proceeding, (D) both

79 the student or employee reporting or disclosing the alleged assault,
80 stalking or violence or a victim reporting or disclosing the alleged
81 assault, stalking or violence pursuant to subdivision (9) of this
82 subsection and such responding student are entitled to be informed in
83 writing of the results of any disciplinary proceeding not later than one
84 business day after the conclusion of such proceeding in a manner that
85 complies with the requirements of the Family Educational Rights and
86 Privacy Act, 20 USC 1232g, as amended from time to time, (E) the
87 institution of higher education shall not disclose the identity of any
88 party to an investigation or disciplinary proceeding, except as necessary
89 to carry out the investigation or disciplinary proceeding or as permitted
90 under state or federal law, (F) a standard of affirmative consent is used
91 in determining whether consent to engage in sexual activity was given
92 by all persons who engaged in the sexual activity, and (G) a student or
93 employee who reports or discloses the alleged assault, stalking or
94 violence shall not be subject to disciplinary action by the institution of
95 higher education for violation of a policy of such institution concerning
96 the use of drugs or alcohol if (i) the report or disclosure was made in
97 good faith, and (ii) the violation of such policy did not place the health
98 or safety of another person at risk;

99 (7) Disclosing a summary of such institution's employee investigation
100 and disciplinary procedures, including clear statements advising that a
101 standard of affirmative consent is used in determining whether consent
102 to engage in sexual activity was given by all persons who engaged in
103 the sexual activity; [and]

104 (8) Disclosing the range of sanctions that may be imposed following
105 the implementation of such institution's student and employee
106 disciplinary procedures in response to such assault, stalking or violence;
107 and

108 (9) Establishing a process by which a victim who (A) is not a student
109 or employee of such institution, and (B) alleges sexual assault, stalking
110 or intimate partner violence by a student or employee of such

111 institution, may report such sexual assault, stalking or intimate partner
112 violence to such institution and detailing the procedures such victim
113 may follow to initiate or participate in such institution's investigation
114 and disciplinary proceeding.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2025	10a-55m(b)
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Statement of Purpose:

To require institutions of higher education to disclose the final results of a Title IX disciplinary proceeding to the alleged victim who reports sexual assault, stalking or intimate partner violence, whether such victim is a student or employee of such institution or not.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]