
OLR Bill Analysis

HB 7100

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

SUMMARY

This bill requires higher education institutions to add provisions to their policies on sexual assault, stalking, and intimate partner violence on how a victim who is not an institution student or employee can:

1. report an allegation of sexual assault, stalking, or intimate partner violence by an institution student or employee and
2. initiate or participate in the institution's investigation and disciplinary proceedings.

Existing law requires these policies to address these topics for victims who are students or institution employees.

Current law entitles a student or employee reporting or disclosing an alleged sexual assault, stalking, or intimate partner violence, and the responding student, to the written results of any disciplinary hearing within one business day after it ends. The bill also entitles a victim who is not a student or employee to the results. It requires that these written disclosures comply with the federal Family Educational Rights and Privacy Act (FERPA).

EFFECTIVE DATE: July 1, 2025

BACKGROUND

FERPA

With certain exceptions, FERPA requires federally funded institutions to keep personally identifying information in a student's records confidential unless (1) the parents (of students under age 18) or

students age 18 or older consent to disclose it or (2) one of the legal exceptions to the confidentiality requirement applies (20 U.S.C. § 1232g).

FERPA does not prohibit a higher education institution from disclosing certain information about the results of a disciplinary proceeding involving an alleged crime of violence or a nonforcible sex offense to (1) an alleged victim or (2) anyone if the proceeding finds that a student violated institution rules or policies. For these purposes, the results must only include (1) the student's name, violation committed, sanction imposed and (2) with consent, any other student's name (such as a victim or witness) (20 U.S.C. § 1232g(b)(6)).

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 18 Nay 0 (03/11/2025)