
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)