



General Assembly

Amendment

January Session, 2021

LCO No. 8158



Offered by:
REP. ELLIOTT, 88th Dist.

To: Subst. House Bill No. 6374

File No. 260

Cal. No. 214

**"AN ACT CONCERNING SEXUAL MISCONDUCT ON COLLEGE
CAMPUSES."**

1 Strike sections 2 and 3 in their entirety and insert the following in lieu
2 thereof:

3 "Sec. 2. (NEW) (*Effective July 1, 2021*) (a) There is established a Council
4 on Sexual Misconduct Climate Assessments, which shall be part of the
5 Legislative Department. The council shall have the following powers
6 and duties: (1) Develop a list of data points to be collected by institutions
7 of higher education through student responses to sexual misconduct
8 climate assessments. Such data points shall include, but not be limited
9 to, data regarding (A) student awareness of institutional policies and
10 procedures related to sexual assault, stalking and intimate partner
11 violence, (B) if a student reported sexual assault, stalking or violence to
12 an institution of higher education or law enforcement, the response to
13 and results of such report, and (C) student perceptions of campus safety;
14 (2) recommend one or more sexual misconduct climate assessments that
15 collect the data points identified by the council; (3) recommend

16 guidelines for the implementation of such assessments, which shall
17 include, but need not be limited to, procedures for (A) achieving a high
18 rate of response to such assessments to ensure statistically accurate
19 survey results, (B) protecting the confidentiality of respondents to such
20 assessments, and (C) receiving responses to such assessments from as
21 broad and diverse a segment of the student population as possible; and
22 (4) perform such other acts as may be necessary and appropriate to carry
23 out the duties described in this section.

24 (b) The council shall consist of the following members:

25 (1) The cochairpersons of the joint standing committee of the General
26 Assembly having cognizance of matters relating to higher education
27 and employment advancement;

28 (2) One appointed by the speaker of the House of Representatives,
29 who has expertise in the development and design of sexual misconduct
30 climate assessments;

31 (3) One appointed by the president pro tempore of the Senate, who
32 has expertise in statistics, data analytics or econometrics related to
33 higher education assessments;

34 (4) One appointed by the minority leader of the House of
35 Representatives, who shall be a representative of the Victim Rights
36 Center of Connecticut;

37 (5) One appointed by the minority leader of the Senate, who shall be
38 a Title IX coordinator at an institution of higher education in the state;

39 (6) The Commissioner of Public Health, or the commissioner's
40 designee;

41 (7) The president of The University of Connecticut, or the president's
42 designee;

43 (8) Two designated by the Board of Regents for Higher Education,
44 one of whom represents the Connecticut State University System and

45 one of whom represents the regional community-technical college
46 system;

47 (9) One designated by the Connecticut Conference of Independent
48 Colleges, who represents the independent institutions of higher
49 education in the state;

50 (10) Three designated by the Connecticut Alliance to End Sexual
51 Violence, one of whom is a victim of sexual assault or intimate partner
52 violence who resides in a rural community in the state, one of whom is
53 a victim of sexual assault or intimate partner violence who resides in an
54 urban community in the state and at least one of whom is a person who
55 is black, indigenous or a person of color;

56 (11) One designated by the Connecticut Coalition Against Domestic
57 Violence, who is a victim of intimate partner violence;

58 (12) One designated by True Colors, Inc., who identifies as lesbian,
59 gay, bisexual, transgender or a queer;

60 (13) The staff director of the Every Voice Coalition of Connecticut, or
61 the staff director's designee; and

62 (14) Three students, designated by the Every Voice Coalition of
63 Connecticut, one of whom is enrolled at a public institution of higher
64 education, one of whom is enrolled at an independent institution of
65 higher education and at least one of whom is a person who is black,
66 indigenous or a person of color.

67 (c) Any member of the council appointed or designated under
68 subsection (b) of this section may be a member of the General Assembly.

69 (d) All initial appointments to the council shall be made not later than
70 sixty days after the effective date of this section and shall terminate on
71 June 30, 2026, regardless of when the initial appointment or designation
72 was made. Any member of the council may serve more than one term.

73 (e) The cochairpersons of the joint standing committee of the General

74 Assembly having cognizance of matters relating to higher education
75 shall jointly select the chairperson of the council from among the
76 members of the council. The chairperson of the council shall schedule
77 the first meeting of the council, which shall be held not later than sixty
78 days after the effective date of this section.

79 (f) The administrative staff of the joint standing committee of the
80 General Assembly having cognizance of matters relating to higher
81 education shall serve as administrative staff of the council.

82 (g) Members of the council who are appointed or designated shall
83 serve for four-year terms, which shall commence on the date of
84 appointment, except as provided in subsection (d) of this section.
85 Members shall continue to serve until their successors are appointed or
86 designated.

87 (h) Any vacancy shall be filled by the appointing or designating
88 authority not later than thirty days after the vacancy occurs. Any
89 vacancy occurring other than by expiration of term shall be filled for the
90 balance of the unexpired term.

91 (i) A majority of the council shall constitute a quorum for the
92 transaction of any business.

93 (j) The members of the council shall serve without compensation, but
94 shall, within the limits of available funds, be reimbursed for expenses
95 necessarily incurred in the performance of their duties.

96 (k) The council shall meet as often as deemed necessary by the
97 chairperson or a majority of the council. Any appointed or designated
98 member who fails to attend three consecutive meetings or who fails to
99 attend fifty per cent of all meetings held during any calendar year shall
100 be deemed to have resigned from the council.

101 (l) Not later than January 1, 2022, and every two years thereafter, the
102 council shall submit, in accordance with the provisions of section 11-4a
103 of the general statutes, to the joint standing committee of the General

104 Assembly having cognizance of matters relating to higher education
105 and to each institution of higher education in the state the (1) list of data
106 points developed by the council, and (2) recommended sexual
107 misconduct climate assessments and guidelines for the implementation
108 of such assessments.

109 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) On or before March 1, 2023,
110 and every two years thereafter, each institution of higher education in
111 the state shall conduct a sexual misconduct climate assessment that
112 collects the data points developed by the Council on Sexual Misconduct
113 Climate Assessments, pursuant to section 2 of this act, and distribute
114 such assessment to each enrolled student in accordance with the
115 guidelines recommended by said council. An institution may use any
116 sexual misconduct climate assessment, including, but not limited to, one
117 recommended by the council or developed by an institution of higher
118 education or a national association, provided such assessment collects
119 all of the data points developed by the council.

120 (b) Each institution of higher education shall include with the sexual
121 misconduct climate assessment a statement that (1) the identity of
122 assessment respondents shall be confidential, (2) students should not
123 disclose personally identifying information with their assessment
124 responses, and (3) no assessment responses may be used as a basis of
125 disciplinary action or legal proceeding.

126 (c) Not later than six months after the distribution of the sexual
127 misconduct climate assessment pursuant to subsection (a) of this
128 section, and every two years thereafter, each institution of higher
129 education in the state shall post on its Internet web site (1) the campus-
130 level results of the sexual misconduct climate assessment, (2) its uniform
131 campus crime report prepared pursuant to section 10a-55a of the
132 general statutes, and (3) an Internet link to the report submitted to the
133 joint standing committee of the General Assembly having cognizance of
134 matters relating to higher education pursuant to subsection (f) of section
135 10a-55m, of the general statutes, as amended by this act.

136 Sec. 4. Subsection (f) of section 10a-55m of the general statutes is

137 repealed and the following is substituted in lieu thereof (*Effective July 1,*
138 *2021*):

139 (f) Not later than October 1, 2015, and annually thereafter, each
140 institution of higher education shall report to the joint standing
141 committee of the General Assembly having cognizance of matters
142 relating to higher education, in accordance with the provisions of
143 section 11-4a, concerning, for the immediately preceding calendar year,
144 (1) a copy of its most recent policies regarding sexual assault, stalking
145 and intimate partner violence adopted in accordance with subsection (b)
146 of this section, or any revisions thereto, (2) a copy of its most recent
147 concise written notification of the rights and options of a student or
148 employee who reports or discloses an alleged violation of its sexual
149 assault, stalking and intimate partner violence policy or policies
150 required pursuant to subsection (e) of this section, (3) the number and
151 type of sexual assault, stalking and intimate partner violence
152 prevention, awareness and risk reduction programs at the institution,
153 (4) the type of sexual assault, stalking and intimate partner violence
154 prevention and awareness campaigns held by the institution, (5) the
155 number of incidences of sexual assault, stalking and intimate partner
156 violence reported or disclosed to such institution, (6) the number of
157 confidential or anonymous reports or disclosures to the institution of
158 sexual assault, stalking and intimate partner violence, (7) the number of
159 disciplinary cases at the institution related to sexual assault, stalking
160 and intimate partner violence, [and] (8) the final outcome of all
161 disciplinary cases at the institution related to sexual assault, stalking
162 and intimate partner violence, including, but not limited to, the outcome
163 of any appeals of such final outcome, to the extent reporting on such
164 outcomes does not conflict with federal law, and (9) on a biennial basis,
165 the summary results of the sexual misconduct climate assessment
166 conducted by the institution pursuant to section 3 of this act."