



General Assembly

January Session, 2023

Raised Bill No. 6770

LCO No. 4565



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

AN ACT CONCERNING ACADEMIC FREEDOM.

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

- 1 Section 1. (NEW) (*Effective July 1, 2023*) (a) As used in this section:
- 2 (1) "Faculty member" means any person who provides scholarship,
3 conducts research or teaches at a public institution of higher education,
4 including professors who are tenured, nontenured or adjunct, visiting
5 lecturers and graduate student instructors. "Faculty member" does not
6 mean any administrative staff or administrative faculty member; and
- 7 (2) "Adverse personnel action" means any action that has a negative
8 impact on a faculty member's eligibility for promotion or tenure,
9 compensation, ability to provide scholarship, conduct research or teach,
10 or that results in transfer, termination, suspension or other discipline of
11 the faculty member.
- 12 (b) Not later than October 1, 2023, the Board of Regents for Higher
13 Education and the Board of Trustees of The University of Connecticut
14 shall each ensure that the policies adopted by said boards to protect

15 academic freedom in accordance with subparagraph (B) of subdivision
16 (1) of subsection (b) of section 10a-6 of the general statutes and
17 subdivision (4) of subsection (b) of section 10a-72 of the general statutes,
18 include protections for the content of course and degree programs for
19 public institutions of higher education within their jurisdiction. Except
20 as provided in subsection (c) of this section, such policies shall (1)
21 protect faculty members from adverse personnel action resulting from
22 such faculty member's public or private expression related to (A) such
23 faculty member's scholarship, academic research or teaching, or (B) any
24 matter of public concern, including, but not limited to, matters of
25 political, social, or economic significance or critical of institutional
26 policy or administration, and (2) provide (A) a process for faculty
27 members to challenge adverse personnel actions on the grounds of
28 violation of academic freedom, and (B) a list of objective criteria to
29 determine whether an adverse personnel action violates a faculty
30 member's right to academic freedom.

31 (c) Notwithstanding the policies to protect academic freedom
32 established at public institutions of higher education, any faculty
33 member may be subject to adverse personnel action for an expression
34 that (1) is disruptive of the academic and instructional purpose of the
35 institution to an extent that would outweigh the faculty member's right
36 to academic freedom, (2) constitutes plagiarism, fraud or misconduct in
37 the context of such faculty member's academic research, (3)
38 substantially or materially interferes with the faculty member's bona
39 fide job performance, or (4) deliberately misrepresents the faculty
40 member's academic expertise.

41 (d) Not later than January 1, 2024, the Board of Regents for Higher
42 Education and the Board of Trustees of The University of Connecticut
43 shall each submit, in accordance with the provisions of section 11-4a of
44 the general statutes, to the joint standing committee of the General
45 Assembly having cognizance of matters relating to higher education a
46 report on its academic freedom policy and the protections included in
47 such policy regarding the content of course and degree programs
48 pursuant to subsection (b) of this section.

49 (e) Any faculty member who believes such faculty member's
50 academic freedom was violated by an adverse personnel action of the
51 public institution of higher education in which he or she provides
52 scholarship, conducts academic research or teaches, may pursue the
53 process provided in the policy to protect academic freedom established
54 at such institution pursuant to subsection (b) of this section or may seek
55 damages from such institution in accordance with section 31-51q of the
56 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section

Statement of Purpose:

To require public institutions of higher education to adopt policies concerning academic freedom.

[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.]