



General Assembly

February Session, 2000

Raised Bill No. 5698

LCO No. 506

Referred to Committee on Judiciary

Introduced by:
(JUD)

***An Act Concerning Investigations Of Alleged Child Abuse By
Certified Public School Employees.***

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

1 Subsection (a) of section 17a-101i of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (a) (1) Notwithstanding any provision of the general statutes to the
4 contrary, after an investigation has been completed and the
5 Commissioner of Children and Families, based upon the results of the
6 investigation, has reasonable cause to believe that a child has been
7 abused by a certified public school employee in a position requiring a
8 certificate, the commissioner shall notify the superintendent of such
9 finding and shall provide records, whether or not created by the
10 department, concerning such investigation to the superintendent who
11 shall suspend such certified school employee. The commissioner shall
12 also provide such records to such certified school employee regardless
13 of whether the commissioner makes a finding that there is reasonable
14 cause to believe that a child has been abused by such certified school
15 employee unless the commissioner has made a diligent inquiry of law
16 enforcement agencies and been notified by a law enforcement agency

17 that such disclosure would jeopardize an ongoing criminal
18 investigation or such certified school employee has been arrested for
19 the conduct investigated by the commissioner.

20 (2) The superintendent shall not suspend such certified school
21 employee prior to notification of a finding of reasonable cause by the
22 commissioner pursuant to subdivision (1) of this subsection unless (A)
23 the superintendent determines that immediate suspension is required
24 to ensure the safety of children, or (B) the superintendent has
25 conducted an investigation and determined that there is reasonable
26 cause to believe that a child has been abused by such certified school
27 employee.

28 (3) Such suspension shall be with pay and shall not result in the
29 diminution or termination of benefits to such certified school
30 employee. Within seventy-two hours after such suspension the
31 superintendent shall notify the local or regional board of education
32 and the Commissioner of Education, or [his] the commissioner's
33 representative, of the reasons for and conditions of the suspension. The
34 superintendent shall disclose such records to the Commissioner of
35 Education and local or regional boards of education or their attorney
36 for purposes of review of employment status or certification. Such
37 suspension shall remain in effect until the superintendent determines
38 that the certified school employee should be reinstated or disciplined
39 other than by termination of contract or the board of education acts
40 pursuant to the provisions of section 10-151. If the contract of
41 employment of such certified school employee is terminated, the
42 superintendent shall notify the Commissioner of Education, or [his]
43 the commissioner's representative, within seventy-two hours after
44 such termination. Upon receipt of such notice from the superintendent,
45 the Commissioner of Education may commence certification
46 revocation proceedings pursuant to the provisions of subsection (m) of
47 section 10-145b. Notwithstanding the provisions of sections 1-210 and
48 1-211, information received by the Commissioner of Education, or [his]
49 the commissioner's representative, pursuant to this section shall be

50 confidential subject to regulations adopted by the State Board of
51 Education under section 10-145g.

Statement of Purpose:

To protect the rights of teachers being investigated for alleged child abuse.

[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.]