



General Assembly

January Session, 2001

**Committee Bill No. 5168**

LCO No. 3774

Referred to Committee on Education

Introduced by:  
(ED)

***AN ACT CONCERNING INVESTIGATIONS OF ALLEGED CHILD ABUSE BY CERTIFIED SCHOOL EMPLOYEES.***

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

1 Section 1. Subsection (a) of section 17a-101i of the general statutes is  
2 repealed and the following is substituted in lieu thereof: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 school employee who holds a certificate, permit or  
8 authorization issued by the State Board of Education, the  
9 commissioner shall notify the employing superintendent of such  
10 finding and shall provide records, whether or not created by the  
11 department, concerning such investigation to the superintendent who  
12 shall suspend such certified school employee. The commissioner shall  
13 also provide such records to such certified school employee regardless  
14 of whether the commissioner makes a finding that there is reasonable  
15 cause to believe that a child has been abused by such certified school  
16 employee unless the commissioner has made a diligent inquiry of law

17 enforcement agencies and been notified by a law enforcement agency  
18 that such disclosure would jeopardize an ongoing criminal  
19 investigation or such certified school employee has been arrested for  
20 the conduct investigated by the commissioner.

21 (2) The superintendent shall not suspend such certified school  
22 employee prior to notification of a finding of reasonable cause by the  
23 Commissioner of Children and Families pursuant to subdivision (1) of  
24 this subsection unless the superintendent (A) determines that  
25 immediate suspension is required to ensure the safety of children, or  
26 (B) has conducted an investigation and determined that there is  
27 reasonable cause to believe that a child has been abused by such  
28 certified school employee. Nothing in this subdivision or chapter 166  
29 shall prevent the superintendent, during the pendency of an  
30 investigation conducted by said commissioner or the superintendent,  
31 from temporarily transferring such certified school employee to a  
32 position that does not involve direct contact with children.

33 (3) Such suspension shall be with pay and shall not result in the  
34 diminution or termination of benefits to such certified school  
35 employee. Within seventy-two hours after such suspension the  
36 superintendent shall notify the local or regional board of education  
37 and the Commissioner of Education, or [his] the commissioner's  
38 representative, of the reasons for and conditions of the suspension. The  
39 superintendent shall disclose such records to the Commissioner of  
40 Education and the local or regional board of education or its attorney  
41 for purposes of review of employment status or the status of such  
42 employee's certificate, permit or authorization. The suspension of a  
43 school employee employed in a position requiring a certificate shall  
44 remain in effect until the superintendent determines that the certified  
45 school employee should be reinstated or disciplined other than by  
46 termination of contract or the board of education acts pursuant to the  
47 provisions of section 10-151. If the contract of employment of such  
48 certified school employee is terminated, the superintendent shall  
49 notify the Commissioner of Education, or [his] the commissioner's

50 representative, within seventy-two hours after such termination. Upon  
51 receipt of such notice from the superintendent, the Commissioner of  
52 Education may commence certification revocation proceedings  
53 pursuant to the provisions of subsection (m) of section 10-145b.  
54 Notwithstanding the provisions of sections 1-210 and 1-211,  
55 information received by the Commissioner of Education, or [his] the  
56 commissioner's representative, pursuant to this section shall be  
57 confidential subject to regulations adopted by the State Board of  
58 Education under section 10-145g.

59 Sec. 2. This act shall take effect July 1, 2001.

**Statement of Purpose:**

To allow teachers accused of child abuse to receive a copy of the investigative report by the Department of Children and Families. To limit the ability of the superintendent to suspend such teacher prior to a finding of reasonable cause by the Commissioner of Children and Families. To provide more flexibility to the superintendent in terms of disciplining such teacher.

*[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.]*

Co-Sponsors: REP. CARDIN, 53rd Dist.; REP. GREEN, 1st Dist.  
REP. BOUGHTON, 138th Dist.; SEN. HANDLEY, 4th Dist.  
REP. MERRILL, 54th Dist.; REP. CURREY, 10th Dist.  
REP. NAFIS, 27th Dist.