



House of Representatives

File No. 835

General Assembly

January Session, 2005

(Reprint of File No. 496)

Substitute House Bill No. 6948
As Amended by House Amendment
Schedules "A" and "B"

Approved by the Legislative Commissioner
June 3, 2005

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES.

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

1 Section 1. Section 10-228 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 Each local and regional board of education shall purchase such
4 books, either as regular texts, as supplementary books or as library
5 books, and such supplies, material and equipment, as it deems
6 necessary to meet the needs of instruction in its schools. In day and
7 evening schools of elementary and secondary grades, all books and
8 equipment, including, but not limited to, assistive devices, shall be
9 loaned and materials and supplies furnished to all pupils free of
10 charge, subject to such rules and regulations as to their care and use as
11 the board of education prescribes. For purposes of this section
12 "assistive device" means assistive device, as defined in subsection (a) of
13 section 10-76y.

14 Sec. 2. Subsection (a) of section 17a-101i of the general statutes is

15 repealed and the following is substituted in lieu thereof (*Effective*
16 *January 1, 2006*):

17 (a) Notwithstanding any provision of the general statutes, [to the
18 contrary,] after an investigation has been completed and the
19 Commissioner of Children and Families, based upon the results of the
20 investigation, has reasonable cause to believe that a child has been
21 abused by a school employee who holds a certificate, permit or
22 authorization issued by the State Board of Education, the
23 commissioner shall, not later than five working days after such
24 finding, notify the employing superintendent of such finding and shall
25 provide records, whether or not created by the department, concerning
26 such investigation to the superintendent who shall suspend such
27 school employee. The commissioner shall provide such notice whether
28 or not the child was a student in the employing school or school
29 district. Such suspension shall be with pay and shall not result in the
30 diminution or termination of benefits to such employee. Within
31 seventy-two hours after such suspension the superintendent shall
32 notify the local or regional board of education and the Commissioner
33 of Education, or the commissioner's representative, of the reasons for
34 and conditions of the suspension. The superintendent shall disclose
35 such records to the Commissioner of Education and the local or
36 regional board of education or its attorney for purposes of review of
37 employment status or the status of such employee's certificate, permit
38 or authorization. The suspension of a school employee employed in a
39 position requiring a certificate shall remain in effect until the board of
40 education acts pursuant to the provisions of section 10-151. If the
41 contract of employment of such certified school employee is
42 terminated, the superintendent shall notify the Commissioner of
43 Education, or the commissioner's representative, within seventy-two
44 hours after such termination. Upon receipt of such notice from the
45 superintendent, the Commissioner of Education may commence
46 certification revocation proceedings pursuant to the provisions of
47 subsection (m) of section 10-145b. Notwithstanding the provisions of
48 sections 1-210 and 1-211, information received by the Commissioner of

49 Education, or the commissioner's representative, pursuant to this
50 section shall be confidential subject to regulations adopted by the State
51 Board of Education under section 10-145g.

| | | |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2005</i> | 10-228 |
| Sec. 2 | <i>January 1, 2006</i> | 17a-101i(a) |

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

| Municipalities | Effect | FY 06 \$ | FY 07 \$ |
|--------------------|--------------|-------------------|-------------------|
| All Municipalities | Revenue Loss | Potential Minimal | Potential Minimal |

Explanation

This bill adds assistive technology equipment to the list of items that must be loaned to students free of charge and thus results in a potential minimum revenue loss to local and regional school districts.

House "A" (LCO 6047) is technical and has no fiscal impact.

House "B" (LCO 6293) is technical and has no fiscal impact.

OLR Bill Analysis

sHB 6948 (as amended by House "A" and "B")*

AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION STATUTES**SUMMARY:**

This bill expands a law requiring the Department of Children and Families (DCF) commissioner to notify the superintendent of the employing school district when she finds, after investigation, reasonable cause to believe that a school employee holding State Board of Education-issued teaching credentials abused a child. It requires the commissioner to notify the superintendent (1) regardless of whether the child is a student in the school or school district where the employee works and (2) within five working days after making the finding. By law, the superintendent must suspend the employee upon receiving the notice and the records of the investigation, which the DCF commissioner must supply along with the notice.

The bill also expressly requires local and regional boards of education that loan assistive devices to public school students to do so for free, and allows boards to prescribe rules and regulations for the care and use of the devices. The same requirements already apply to books, supplies, material, and equipment for school instructional needs.

Under current law and the bill, an "assistive device" is a customized, modified, or off-the-shelf item, product system, or piece of equipment that people with disabilities can use to increase, maintain, or improve their functional capabilities.

*House Amendment "A" changes the term for the loaned equipment from "assistive technology equipment" to "assistive device" and incorporates by reference an existing statutory definition for such devices.

*House Amendment "B" (1) expands the circumstances in which DCF must notify school superintendents of child abuse findings about people their school districts employ and (2) establishes the deadline for

DCF to provide the notice.

EFFECTIVE DATE: July 1, 2005 for the assistive device provision and January 1, 2006 for the changes in the DCF notice to school superintendents.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 25 Nay 0