



Senate

General Assembly

File No. 508

February Session, 2008

Substitute Senate Bill No. 403

Senate, April 7, 2008

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE ROLE OF THE STATE BOARD OF EDUCATION IN THE TEACHER CERTIFICATION REVOCATION PROCESS.

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

1 Section 1. Subdivision (2) of subsection (m) of section 10-145b of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2008*):

4 (2) When the Commissioner of Education is notified, pursuant to
5 section 10-149a or 17a-101i that a person holding a certificate,
6 authorization or permit issued by the State Board of Education under
7 the provisions of sections 10-144o to 10-149, inclusive, has been
8 convicted of (A) a capital felony, pursuant to section 53a-54b, (B) arson
9 murder, pursuant to section 53a-54d, (C) a class A felony, (D) a class B
10 felony, except a violation of section 53a-122, 53a-252 or 53a-291, (E) a
11 crime involving an act of child abuse or neglect as described in section
12 46b-120 of the 2008 supplement to the general statutes, or (F) a
13 violation of section 53-21 of the 2008 supplement to the general

14 statutes, 53-37a of the 2008 supplement to the general statutes, 53a-60b,
 15 53a-60c, 53a-71 of the 2008 supplement to the general statutes, 53a-72a,
 16 53a-72b, 53a-73a of the 2008 supplement to the general statutes, 53a-88,
 17 53a-99, 53a-103a, 53a-181c, 53a-191, 53a-196, 53a-196c of the 2008
 18 supplement to the general statutes, 53a-216, 53a-217b or 21a-278 of the
 19 2008 supplement to the general statutes or subsection (a) of section
 20 21a-277, any certificate, permit or authorization issued by the State
 21 Board of Education and held by such person shall be deemed revoked
 22 and the commissioner shall notify such person of such revocation,
 23 provided such person may request reconsideration pursuant to
 24 regulations adopted by the State Board of Education, in accordance
 25 with the provisions of chapter 54. As part of such reconsideration
 26 process, the board shall make the initial determination as to whether to
 27 uphold or overturn the revocation. The commissioner shall make the
 28 final determination as to whether to uphold or overturn the
 29 revocation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2008	10-145b(m)(2)

ED *Joint Favorable Subst.*

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 chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Commissioner of Education to make the final determination of whether to uphold the revocation of an educator's public school teaching credential when the educator has been convicted of certain crimes, rather than the State Board of Education. The bill is not anticipated to result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 403*****AN ACT CONCERNING THE ROLE OF THE STATE BOARD OF EDUCATION IN THE TEACHER CERTIFICATION REVOCATION PROCESS.*****SUMMARY:**

This bill requires the education commissioner rather than the State Board of Education to make the final determination of whether to uphold the revocation of an educator's public school teaching credential when the educator has been convicted of certain crimes.

By law, when a person holding a certificate, permit, or authorization issued by the board that allows him or her to teach in the public schools is convicted of specified crimes, the credential is considered to be revoked. But, when the commissioner notifies the person of the revocation, he or she can ask the board to reconsider the revocation according to its regulations. Under current law, the board makes the final decision on the revocation. Under the bill, the board makes the initial determination of whether to overturn or uphold the revocation and the education commissioner has the final say.

EFFECTIVE DATE: July 1, 2008

BACKGROUND***Convictions Requiring Immediate Revocation of Educational Credentials***

By law, an educator's certificate, permit, or authorization to teach in the public schools is considered revoked as soon as the education commissioner is notified that the educator has been convicted of any of the following crimes: (1) a capital felony; (2) arson murder; (3) any class A felony; (4) a class B felony, except first-degree larceny, first-degree computer crime, or first-degree vendor fraud; (5) any crime

involving child abuse or neglect; (6) risk of injury to a minor; (7) deprivation of a person's civil rights by a person wearing a mask or hood; (8) second-degree assault of an elderly, blind, disabled, pregnant, or mentally retarded person, with or without a firearm; (9) second-, third-, or fourth-degree sexual assault; (10) third-degree sexual assault with a firearm; (11) third-degree promoting prostitution; (12) substitution of children; (13) third-degree burglary with a firearm; (14) first-degree stalking; (15) incest; (16) obscenity as to minors; (17) importing child pornography; (18) criminal use of a firearm or electronic defense weapon; (19) possession of a weapon on school grounds; or (20) manufacture or sale of illegal drugs.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/14/2008)