



General Assembly

**Substitute Bill No. 5431**

January Session, 2011

\* \_\_\_\_\_HB05431APP\_\_042611\_\_\_\_\_\*

**AN ACT CONCERNING THE RESPONSE OF SCHOOL DISTRICTS  
AND THE DEPARTMENTS OF EDUCATION AND CHILDREN AND  
FAMILIES TO REPORTS OF CHILD ABUSE AND NEGLECT.**

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

1 Section 1. Section 10-221d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2011*):

3 (a) Each local and regional board of education shall (1) require each  
4 applicant for a position in a public school to state whether such person  
5 has ever been convicted of a crime or whether criminal charges are  
6 pending against such person at the time of such person's application,  
7 (2) require each applicant for a position in a public school to submit to  
8 a records check of the Department of Children and Families child  
9 abuse and neglect registry established pursuant to section 17a-101k,  
10 before such applicant may be hired by such board, (3) require, subject  
11 to the provisions of subsection (d) of this section, each person hired by  
12 the board after July 1, 1994, to submit to state and national criminal  
13 history records checks within thirty days from the date of employment  
14 and may require, subject to the provisions of subsection (d) of this  
15 section, any person hired prior to said date to submit to state and  
16 national criminal history records checks, and [(3)] (4) require each  
17 worker (A) placed within a school under a public assistance  
18 employment program, (B) employed by a provider of supplemental  
19 services pursuant to the No Child Left Behind Act, P.L. 107-110, or (C)

20 on and after July 1, 2010, in a nonpaid, noncertified position  
21 completing preparation requirements for the issuance of an educator  
22 certificate pursuant to chapter 166, who performs a service involving  
23 direct student contact to submit to state and national criminal history  
24 records checks within thirty days from the date such worker begins to  
25 perform such service. The criminal history records checks required by  
26 this subsection shall be conducted in accordance with section 29-17a. If  
27 the local or regional board of education receives notice of a conviction  
28 of a crime which has not previously been disclosed by such person to  
29 the board, the board may (i) terminate the contract of a certified  
30 employee, in accordance with the provisions of section 10-151, and (ii)  
31 dismiss a noncertified employee provided such employee is notified of  
32 the reason for such dismissal, is provided the opportunity to file with  
33 the board, in writing, any proper answer to such criminal conviction  
34 and a copy of the notice of such criminal conviction, the answer and  
35 the dismissal order are made a part of the records of the board. In  
36 addition, if the local or regional board of education receives notice of a  
37 conviction of a crime by a person (I) holding a certificate, authorization  
38 or permit issued by the State Board of Education, (II) employed by a  
39 provider of supplemental services, or (III) on and after July 1, 2010, in a  
40 nonpaid, noncertified position completing preparation requirements  
41 for the issuance of an educator certificate pursuant to chapter 166, the  
42 local or regional board of education shall send such notice to the State  
43 Board of Education. The supervisory agent of a private school may  
44 require any applicant for a position in such school or any employee of  
45 such school to submit to state and national criminal history records  
46 checks in accordance with the procedures described in this subsection.

47 (b) If a local or regional board of education, endowed or  
48 incorporated academy approved by the State Board of Education  
49 pursuant to section 10-34, or special education facility approved by the  
50 State Board of Education pursuant to section 10-76d requests, a  
51 regional educational service center shall arrange for the fingerprinting  
52 of any person required to submit to state and national criminal history  
53 records checks pursuant to this section or for conducting any other

54 method of positive identification required by the State Police Bureau of  
55 Identification or the Federal Bureau of Investigation and shall forward  
56 such fingerprints or other positive identifying information to the State  
57 Police Bureau of Identification which shall conduct criminal history  
58 records checks in accordance with section 29-17a. Such regional  
59 educational service centers shall provide the results of such checks to  
60 such local or regional board of education, endowed or incorporated  
61 academy or special education facility. Such regional educational  
62 service centers shall provide such results to any other local or regional  
63 board of education or regional educational service center upon the  
64 request of such person.

65 (c) State and national criminal history records checks for substitute  
66 teachers completed within one year prior to the date of employment  
67 with a local or regional board of education and submitted to the  
68 employing board of education shall meet the requirements of  
69 subdivision [(2)] (3) of subsection (a) of this section. A local or regional  
70 board of education shall not require substitute teachers to submit to  
71 state and national criminal history records checks pursuant to  
72 subdivision [(2)] (3) of subsection (a) of this section if they are  
73 continuously employed by such local or regional board of education.  
74 For purposes of this section, substitute teachers shall be deemed to be  
75 continuously employed by a local or regional board of education if  
76 they are employed at least one day of each school year by such local or  
77 regional board of education.

78 (d) (1) The provisions of this section shall not apply to a person  
79 required to submit to a criminal history records check pursuant to the  
80 provisions of subsection [(d)] (e) of section 14-44.

81 (2) The provisions of this section shall not apply to a student  
82 employed by the local or regional school district in which the student  
83 attends school.

84 (3) The provisions of subsection (a) of this section requiring state  
85 and national criminal history records checks shall, at the discretion of a

86 local or regional board of education, apply to a person employed by a  
87 local or regional board of education as a teacher for a noncredit adult  
88 class or adult education activity, as defined in section 10-67, who is not  
89 required to hold a teaching certificate pursuant to section 10-145b, as  
90 amended by this act, for his or her position.

91 (e) The State Board of Education shall submit, periodically, a  
92 database of applicants for an initial issuance of certificate,  
93 authorization or permit pursuant to sections 10-144o to 10-149,  
94 inclusive, as amended by this act, to the State Police Bureau of  
95 Identification. The State Police Bureau of Identification shall conduct a  
96 state criminal history records check against such database and notify  
97 the State Board of Education of any such applicant who has a criminal  
98 conviction. The State Board of Education shall not issue a certificate,  
99 authorization or permit until it receives and evaluates the results of  
100 such check and may deny an application in accordance with the  
101 provisions of subsection (j) of section 10-145b, as amended by this act.

102 (f) The State Board of Education shall submit, periodically, a  
103 database of all persons who hold certificates, authorizations or permits  
104 to the State Police Bureau of Identification. The State Police Bureau of  
105 Identification shall conduct a state criminal history records check  
106 against such database and shall notify the State Board of Education of  
107 any such person who has a criminal conviction. The State Board of  
108 Education may revoke the certificate, authorization or permit of such  
109 person in accordance with the provisions of subsection (j) of section 10-  
110 145b, as amended by this act.

111 (g) The State Board of Education shall require each applicant  
112 seeking an initial issuance or renewal of a certificate, authorization or  
113 permit pursuant to sections 10-144o to 10-149, inclusive, as amended  
114 by this act, to submit to a records check of the Department of Children  
115 and Families child abuse and neglect registry established pursuant to  
116 section 17a-101k. If notification is received that the applicant is listed as  
117 a perpetrator of abuse or neglect on the Department of Children and  
118 Families child abuse and neglect registry, the board shall deny an

119 application for the certificate, authorization or permit in accordance  
120 with the provisions of subsection (j) of section 10-145b, as amended by  
121 this act, or may revoke the certificate, authorization or permit in  
122 accordance with the provisions of said subsection (j).

123 Sec. 2. Subsection (f) of section 17a-28 of the general statutes is  
124 repealed and the following is substituted in lieu thereof (*Effective July*  
125 *1, 2011*):

126 (f) The commissioner or the commissioner's designee shall, upon  
127 request, promptly provide copies of records, without the consent of a  
128 person, to (1) a law enforcement agency, (2) the Chief State's Attorney,  
129 or the Chief State's Attorney's designee, or a state's attorney for the  
130 judicial district in which the child resides or in which the alleged abuse  
131 or neglect occurred, or the state's attorney's designee, for purposes of  
132 investigating or prosecuting an allegation of child abuse or neglect, (3)  
133 the attorney appointed to represent a child in any court in litigation  
134 affecting the best interests of the child, (4) a guardian ad litem  
135 appointed to represent a child in any court in litigation affecting the  
136 best interests of the child, (5) the Department of Public Health, in  
137 connection with: (A) Licensure of any person to care for children for  
138 the purposes of determining the suitability of such person for  
139 licensure, subject to the provisions of sections 17a-101g, as amended by  
140 this act, and 17a-101k, or (B) an investigation conducted pursuant to  
141 section 19a-80f, (6) any state agency which licenses such person to  
142 educate or care for children pursuant to section 10-145b, as amended  
143 by this act, or 17a-101j, subject to the provisions of sections 17a-101g, as  
144 amended by this act, and 17a-101k concerning nondisclosure of  
145 findings of responsibility for abuse and neglect, (7) the Governor,  
146 when requested in writing, in the course of the Governor's official  
147 functions or the Legislative Program Review and Investigations  
148 Committee, the joint standing committee of the General Assembly  
149 having cognizance of matters relating to the judiciary and the select  
150 committee of the General Assembly having cognizance of matters  
151 relating to children when requested in the course of said committees'  
152 official functions in writing, and upon a majority vote of said

153 committee, provided no names or other identifying information shall  
154 be disclosed unless it is essential to the legislative or gubernatorial  
155 purpose, (8) a local or regional board of education, provided the  
156 records are limited to (A) educational records created or obtained by  
157 the state or Connecticut-Unified School District #2, established  
158 pursuant to section 17a-37, or (B) inclusion on the Department of  
159 Children and Families child abuse and neglect registry established  
160 pursuant to section 17a-101k, subject to the provisions of sections 17a-  
161 101g, as amended by this act, and 17a-101k concerning nondisclosure  
162 of findings of responsibility for abuse and neglect, (9) a party in a  
163 custody proceeding under section 17a-112 or 46b-129, in the Superior  
164 Court where such records concern a child who is the subject of the  
165 proceeding or the parent of such child, (10) the Chief Child Protection  
166 Attorney, or his or her designee, for purposes of ensuring competent  
167 representation by the attorneys whom the Chief Child Protection  
168 Attorney contracts with to provide legal and guardian ad litem  
169 services to the subjects of such records and to ensure accurate  
170 payments for services rendered by such contract attorneys, (11) the  
171 Department of Motor Vehicles, for purposes of checking the state's  
172 child abuse and neglect registry pursuant to subsection (e) of section  
173 14-44, and (12) a judge of the Superior Court and all necessary parties  
174 in a family violence proceeding when such records concern family  
175 violence with respect to the child who is the subject of the proceeding  
176 or the parent of such child who is the subject of the proceeding. A  
177 disclosure under this section shall be made of any part of a record,  
178 whether or not created by the department, provided no confidential  
179 record of the Superior Court shall be disclosed other than the petition  
180 and any affidavits filed therewith in the superior court for juvenile  
181 matters, except upon an order of a judge of the Superior Court for  
182 good cause shown. The commissioner shall also disclose the name of  
183 any individual who cooperates with an investigation of a report of  
184 child abuse or neglect to such law enforcement agency or state's  
185 attorney for purposes of investigating or prosecuting an allegation of  
186 child abuse or neglect. The commissioner or the commissioner's  
187 designee shall, upon request, subject to the provisions of sections 17a-

188 101g, as amended by this act, and 17a-101k, promptly provide copies  
189 of records, without the consent of the person, to (A) the Department of  
190 Public Health for the purpose of determining the suitability of a person  
191 to care for children in a facility licensed under sections 19a-77 to 19a-  
192 80, inclusive, 19a-82 to 19a-87, inclusive, and 19a-87b, [and] (B) the  
193 Department of Social Services for determining the suitability of a  
194 person for any payment from the department for providing child care,  
195 and (C) the superintendent of schools for any school district for the  
196 purpose of determining the suitability of a person to be employed by  
197 the local or regional board of education for such school district.

198 Sec. 3. Section 17a-101 of the general statutes is repealed and the  
199 following is substituted in lieu thereof (*Effective July 1, 2011*):

200 (a) The public policy of this state is: To protect children whose  
201 health and welfare may be adversely affected through injury and  
202 neglect; to strengthen the family and to make the home safe for  
203 children by enhancing the parental capacity for good child care; to  
204 provide a temporary or permanent nurturing and safe environment for  
205 children when necessary; and for these purposes to require the  
206 reporting of suspected child abuse or neglect, investigation of such  
207 reports by a social agency, and provision of services, where needed, to  
208 such child and family.

209 (b) The following persons shall be mandated reporters: Any  
210 physician or surgeon licensed under the provisions of chapter 370, any  
211 resident physician or intern in any hospital in this state, whether or not  
212 so licensed, any registered nurse, licensed practical nurse, medical  
213 examiner, dentist, dental hygienist, psychologist, [coach of intramural  
214 or interscholastic athletics, school superintendent, school teacher,  
215 school principal, school guidance counselor, school paraprofessional,  
216 school coach] a school employee, as defined in section 53a-65, social  
217 worker, police officer, juvenile or adult probation officer, juvenile or  
218 adult parole officer, member of the clergy, pharmacist, physical  
219 therapist, optometrist, chiropractor, podiatrist, mental health  
220 professional or physician assistant, any person who is a licensed or

221 certified emergency medical services provider, any person who is a  
222 licensed or certified alcohol and drug counselor, any person who is a  
223 licensed marital and family therapist, any person who is a sexual  
224 assault counselor or a battered women's counselor as defined in  
225 section 52-146k, any person who is a licensed professional counselor,  
226 any person who is a licensed foster parent, any person paid to care for  
227 a child in any public or private facility, child day care center, group  
228 day care home or family day care home licensed by the state, any  
229 employee of the Department of Children and Families, any employee  
230 of the Department of Public Health who is responsible for the licensing  
231 of child day care centers, group day care homes, family day care  
232 homes or youth camps, the Child Advocate and any employee of the  
233 Office of the Child Advocate and any family relations counselor,  
234 family relations counselor trainee or family services supervisor  
235 employed by the Judicial Department.

236 (c) The Commissioner of Children and Families shall develop an  
237 educational training program and refresher training program for the  
238 accurate and prompt identification and reporting of child abuse and  
239 neglect. Such training program and refresher training program shall be  
240 made available to all persons mandated to report child abuse and  
241 neglect at various times and locations throughout the state as  
242 determined by the Commissioner of Children and Families. Such  
243 training program shall be provided to all new school employees, as  
244 defined in section 53a-65, prior to the start of the school year, within  
245 available appropriations.

246 (d) Any mandated reporter, as defined in subsection (b) of this  
247 section, who fails to report to the Commissioner of Children and  
248 Families pursuant to section 17a-101a, as amended by this act, shall be  
249 required to participate in an educational and training program  
250 established by the commissioner. The program may be provided by  
251 one or more private organizations approved by the commissioner,  
252 provided the entire costs of the program shall be paid from fees  
253 charged to the participants, the amount of which shall be subject to the  
254 approval of the commissioner.

255 (e) On or before October 1, 2011, the Department of Children and  
256 Families, in consultation with the Department of Education, shall  
257 develop a model mandated reporting policy for use by local and  
258 regional boards of education. Such policy shall state applicable state  
259 law regarding mandated reporting and any relevant information that  
260 may assist school districts in the performance of mandated reporting.  
261 Such policy shall include, but not be limited to, the following  
262 information: (1) Those persons employed by the local or regional board  
263 of education who are required pursuant to this section to be mandated  
264 reporters, (2) the type of information that is to be reported, (3) the time  
265 frame for both written and verbal mandated reports, (4) a statement  
266 that the school district may conduct its own investigation into an  
267 allegation of abuse or neglect by a school employee, provided such  
268 investigation does not impede an investigation by the Department of  
269 Children and Families, and (5) a statement that retaliation against  
270 mandated reporters is prohibited. Such policy shall be updated and  
271 revised as necessary.

272 Sec. 4. Section 17a-101i of the general statutes is repealed and the  
273 following is substituted in lieu thereof (*Effective July 1, 2011*):

274 (a) Notwithstanding any provision of the general statutes, after an  
275 investigation has been completed and the Commissioner of Children  
276 and Families, based upon the results of the investigation, (1) has  
277 reasonable cause to believe that a child has been abused or neglected  
278 by a school employee, as defined in section 53a-65, who has been  
279 entrusted with the care of a child and who holds a certificate, permit or  
280 authorization issued by the State Board of Education, [and the  
281 commissioner] or (2) has recommended that such employee be placed  
282 on the Department of Children and Families child abuse and neglect  
283 registry established pursuant to section 17a-101k, the commissioner  
284 shall, not later than five working days after such finding, notify the  
285 employing superintendent and the Commissioner of Education of such  
286 finding and shall provide records, whether or not created by the  
287 department, concerning such investigation to the superintendent  
288 [who] and the Commissioner of Education. The superintendent shall

289 suspend such school employee. The [commissioner] Commissioner of  
290 Children and Families shall provide such notice whether or not the  
291 child was a student in the employing school or school district. Such  
292 suspension shall be with pay and shall not result in the diminution or  
293 termination of benefits to such employee. [Within] Not later than  
294 seventy-two hours after such suspension the superintendent shall  
295 notify the local or regional board of education and the Commissioner  
296 of Education, or the commissioner's representative, of the reasons for  
297 and conditions of the suspension. The superintendent shall disclose  
298 such records to the Commissioner of Education and the local or  
299 regional board of education or its attorney for purposes of review of  
300 employment status or the status of such employee's certificate, permit  
301 or authorization. The suspension of a school employee employed in a  
302 position requiring a certificate shall remain in effect until the board of  
303 education acts pursuant to the provisions of section 10-151. If the  
304 contract of employment of such certified school employee is  
305 terminated, or such certified school employee resigns such  
306 employment, the superintendent shall notify the Commissioner of  
307 Education, or the commissioner's representative, within seventy-two  
308 hours after such termination or resignation. Upon receipt of such  
309 notice from the superintendent, the Commissioner of Education may  
310 commence certification revocation proceedings pursuant to the  
311 provisions of subsection (j) of section 10-145b, as amended by this act.  
312 Notwithstanding the provisions of sections 1-210 and 1-211,  
313 information received by the Commissioner of Education, or the  
314 commissioner's representative, pursuant to this section shall be  
315 confidential subject to regulations adopted by the State Board of  
316 Education under section 10-145g.

317 (b) [After] Not later than five working days after an investigation  
318 has been completed, [and] if (1) the Commissioner of Children and  
319 Families, based upon the results of the investigation, has reasonable  
320 cause to believe that a child has been abused or neglected by a staff  
321 member of a public or private institution or facility providing care for  
322 children or private school, [the commissioner shall notify the executive

323 director of such institution, school or facility and shall provide records,  
324 whether or not created by the department concerning such  
325 investigation to such executive director. Such] and (2) the  
326 commissioner recommends that such staff member be placed on the  
327 child abuse and neglect registry established pursuant to section 17a-  
328 101h, as amended by this act, such institution, school or facility [may]  
329 shall suspend such staff person. Such suspension shall be with pay and  
330 shall not result in diminution or termination of benefits to such  
331 [employee] staff person. Such suspension shall remain in effect until  
332 the incident of abuse or neglect has been satisfactorily resolved by the  
333 employer of the staff person or until an appeal, conducted in  
334 accordance with section 17a-101k, has resulted in a finding that such  
335 staff person is not responsible for the abuse or neglect or does not pose  
336 a risk to the health, safety or well-being of children. If such staff  
337 member has a professional license or certificate issued by the state or a  
338 permit or authorization issued by the State Board of Education or if  
339 such institution, school or facility has a license or approval issued by  
340 the state, the commissioner shall forthwith notify the state agency  
341 responsible for issuing such license, certificate, permit, approval or  
342 authorization to the staff member and provide records, whether or not  
343 created by the department, concerning such investigation.

344 (c) If a school employee, as defined in section 53a-65, or any person  
345 holding a certificate, permit or authorization issued by the State Board  
346 of Education under the provisions of sections 10-144o to 10-149,  
347 inclusive, as amended by this act, is convicted of a crime involving an  
348 act of child abuse or neglect as described in section 46b-120 or a  
349 violation of section 53-21, 53a-71 or 53a-73a, the state's attorney for the  
350 judicial district in which the conviction occurred shall in writing notify  
351 the superintendent of the school district or the supervisory agent of the  
352 nonpublic school in which the person is employed and the  
353 Commissioner of Education of such conviction.

354 (d) For the purposes of receiving and making reports, notifying and  
355 receiving notification, or investigating, pursuant to the provisions of  
356 sections 17a-101a to 17a-101h, inclusive, as amended by this act, and

357 17a-103, a superintendent of a school district or a supervisory agent of  
358 a nonpublic school may assign a designee to act on such  
359 superintendent's or agent's behalf.

360 (e) On or before February 1, [1997] 2012, each local and regional  
361 board of education shall adopt a written policy, in accordance with the  
362 provisions of subsection (e) of section 17a-101, as amended by this act,  
363 regarding the reporting by school employees, as defined in section 53a-  
364 65, of suspected child abuse in accordance with sections 17a-101a to  
365 17a-101d, inclusive, as amended by this act, and 17a-103. Such policy  
366 shall be distributed annually to all school employees employed by the  
367 local or regional board of education. The local or regional board of  
368 education shall document that all such school employees have  
369 received such written policy and completed the training and refresher  
370 training programs required by subsection (c) of section 17a-101, as  
371 amended by this act.

372 (f) (1) All school employees, as defined in section 53a-65, hired by a  
373 local or regional board of education on or after July 1, 2011, shall be  
374 required to complete the training program developed pursuant to  
375 subsection (c) of section 17a-101, as amended by this act. All such  
376 school employees shall complete the refresher training program,  
377 developed pursuant to subsection (c) of section 17a-101, as amended  
378 by this act, not later than three years after completion of the initial  
379 training program, and shall thereafter retake such refresher training  
380 course at least once every three years.

381 (2) On or before July 1, 2012, all school employees, as defined in  
382 section 53a-65, hired by a local or regional board of education before  
383 July 1, 2011, shall complete the refresher training program developed  
384 pursuant to subsection (c) of section 17a-101, as amended by this act,  
385 and shall thereafter retake such refresher training course at least once  
386 every three years.

387 Sec. 5. Subsection (a) of section 10-220a of the general statutes is  
388 repealed and the following is substituted in lieu thereof (*Effective July*

389 1, 2011):

390 (a) Each local or regional board of education shall provide an in-  
391 service training program for its teachers, administrators and pupil  
392 personnel who hold the initial educator, provisional educator or  
393 professional educator certificate. Such program shall provide such  
394 teachers, administrators and pupil personnel with information on (1)  
395 the nature and the relationship of drugs, as defined in subdivision (17)  
396 of section 21a-240, and alcohol to health and personality development,  
397 and procedures for discouraging their abuse, (2) health and mental  
398 health risk reduction education which includes, but need not be  
399 limited to, the prevention of risk-taking behavior by children and the  
400 relationship of such behavior to substance abuse, pregnancy, sexually  
401 transmitted diseases, including HIV-infection and AIDS, as defined in  
402 section 19a-581, violence, teen dating violence, domestic violence, child  
403 abuse and youth suicide, (3) the growth and development of  
404 exceptional children, including handicapped and gifted and talented  
405 children and children who may require special education, including,  
406 but not limited to, children with attention-deficit hyperactivity  
407 disorder or learning disabilities, and methods for identifying, planning  
408 for and working effectively with special needs children in a regular  
409 classroom, (4) school violence prevention, conflict resolution and  
410 prevention of bullying, as defined in subsection (a) of section 10-222d,  
411 except that those boards of education that implement an evidence-  
412 based model approach, consistent with subsection (d) of section 10-  
413 145a, subsection (a) of section 10-220a, as amended by this act, sections  
414 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and  
415 sections 1 and 3 of public act 08-160, shall not be required to provide  
416 in-service training on prevention of bullying, (5) cardiopulmonary  
417 resuscitation and other emergency life saving procedures, (6) computer  
418 and other information technology as applied to student learning and  
419 classroom instruction, communications and data management, (7) the  
420 teaching of the language arts, reading and reading readiness for  
421 teachers in grades kindergarten to three, inclusive, [and] (8) second  
422 language acquisition in districts required to provide a program of

423 bilingual education pursuant to section 10-17f, and (9) the  
424 requirements and obligations of a mandated reporter. Each local and  
425 regional board of education may allow any paraprofessional or  
426 noncertified employee to participate, on a voluntary basis, in any in-  
427 service training program provided pursuant to this section. The State  
428 Board of Education, within available appropriations and utilizing  
429 available materials, shall assist and encourage local and regional  
430 boards of education to include: (A) Holocaust education and  
431 awareness; (B) the historical events surrounding the Great Famine in  
432 Ireland; (C) African-American history; (D) Puerto Rican history; (E)  
433 Native American history; (F) personal financial management; (G)  
434 domestic violence and teen dating violence; and (H) topics approved  
435 by the state board upon the request of local or regional boards of  
436 education as part of in-service training programs pursuant to this  
437 subsection.

438 Sec. 6. Section 10-220 of the general statutes is repealed and the  
439 following is substituted in lieu thereof (*Effective July 1, 2011*):

440 (a) Each local or regional board of education shall maintain good  
441 public elementary and secondary schools, implement the educational  
442 interests of the state as defined in section 10-4a and provide such other  
443 educational activities as in its judgment will best serve the interests of  
444 the school district; provided any board of education may secure such  
445 opportunities in another school district in accordance with provisions  
446 of the general statutes and shall give all the children of the school  
447 district as nearly equal advantages as may be practicable; shall provide  
448 an appropriate learning environment for its students which includes  
449 (1) adequate instructional books, supplies, materials, equipment,  
450 staffing, facilities and technology, (2) equitable allocation of resources  
451 among its schools, (3) proper maintenance of facilities, and (4) a safe  
452 school setting; shall, in accordance with the provisions of subsection (f)  
453 of this section, maintain records of allegations, investigations and  
454 reports that a child has been abused or neglected by a school  
455 employee, as defined in section 53a-65, employed by the local or  
456 regional board of education; shall have charge of the schools of its

457 respective school district; shall make a continuing study of the need for  
458 school facilities and of a long-term school building program and from  
459 time to time make recommendations based on such study to the town;  
460 shall adopt and implement an indoor air quality program that  
461 provides for ongoing maintenance and facility reviews necessary for  
462 the maintenance and improvement of the indoor air quality of its  
463 facilities; shall adopt and implement a green cleaning program,  
464 pursuant to section 10-231g, that provides for the procurement and use  
465 of environmentally preferable cleaning products in school buildings  
466 and facilities; shall report biennially to the Commissioner of Education  
467 on the condition of its facilities and the action taken to implement its  
468 long-term school building program, indoor air quality program and  
469 green cleaning program, which report the Commissioner of Education  
470 shall use to prepare a biennial report that said commissioner shall  
471 submit in accordance with section 11-4a to the joint standing  
472 committee of the General Assembly having cognizance of matters  
473 relating to education; shall advise the Commissioner of Education of  
474 the relationship between any individual school building project  
475 pursuant to chapter 173 and such long-term school building program;  
476 shall have the care, maintenance and operation of buildings, lands,  
477 apparatus and other property used for school purposes and at all times  
478 shall insure all such buildings and all capital equipment contained  
479 therein against loss in an amount not less than eighty per cent of  
480 replacement cost; shall determine the number, age and qualifications  
481 of the pupils to be admitted into each school; shall develop and  
482 implement a written plan for minority staff recruitment for purposes  
483 of subdivision (3) of section 10-4a; shall employ and dismiss the  
484 teachers of the schools of such district subject to the provisions of  
485 sections 10-151 and 10-158a; shall designate the schools which shall be  
486 attended by the various children within the school district; shall make  
487 such provisions as will enable each child of school age residing in the  
488 district to attend some public day school for the period required by  
489 law and provide for the transportation of children wherever  
490 transportation is reasonable and desirable, and for such purpose may  
491 make contracts covering periods of not more than five years; may

492 place in an alternative school program or other suitable educational  
493 program a pupil enrolling in school who is nineteen years of age or  
494 older and cannot acquire a sufficient number of credits for graduation  
495 by age twenty-one; may arrange with the board of education of an  
496 adjacent town for the instruction therein of such children as can attend  
497 school in such adjacent town more conveniently; shall cause each child  
498 five years of age and over and under eighteen years of age who is not a  
499 high school graduate and is living in the school district to attend  
500 school in accordance with the provisions of section 10-184, and shall  
501 perform all acts required of it by the town or necessary to carry into  
502 effect the powers and duties imposed by law.

503 (b) The board of education of each local or regional school district  
504 shall, with the participation of parents, students, school administrators,  
505 teachers, citizens, local elected officials and any other individuals or  
506 groups such board shall deem appropriate, prepare a statement of  
507 educational goals for such local or regional school district. The  
508 statement of goals shall be consistent with state-wide goals pursuant to  
509 subsection (c) of section 10-4. Each local or regional board of education  
510 shall develop student objectives which relate directly to the statement  
511 of educational goals prepared pursuant to this subsection and which  
512 identify specific expectations for students in terms of skills, knowledge  
513 and competence.

514 (c) Annually, each local and regional board of education shall  
515 submit to the Commissioner of Education a strategic school profile  
516 report for each school under its jurisdiction and for the school district  
517 as a whole. The superintendent of each local and regional school  
518 district shall present the profile report at the next regularly scheduled  
519 public meeting of the board of education after each November first.  
520 The profile report shall provide information on measures of (1) student  
521 needs, (2) school resources, including technological resources and  
522 utilization of such resources and infrastructure, (3) student and school  
523 performance, including truancy, (4) the number of students enrolled in  
524 an adult high school credit diploma program, pursuant to section 10-  
525 69, operated by a local or regional board of education or a regional

526 educational service center, (5) equitable allocation of resources among  
527 its schools, (6) reduction of racial, ethnic and economic isolation, and  
528 (7) special education. For purposes of this subsection, measures of  
529 special education include (A) special education identification rates by  
530 disability, (B) rates at which special education students are exempted  
531 from mastery testing pursuant to section 10-14q, (C) expenditures for  
532 special education, including such expenditures as a percentage of total  
533 expenditures, (D) achievement data for special education students, (E)  
534 rates at which students identified as requiring special education are no  
535 longer identified as requiring special education, (F) the availability of  
536 supplemental educational services for students lacking basic  
537 educational skills, (G) the amount of special education student  
538 instructional time with nondisabled peers, (H) the number of students  
539 placed out-of-district, and (I) the actions taken by the school district to  
540 improve special education programs, as indicated by analyses of the  
541 local data provided in subparagraphs (A) to (H), inclusive, of this  
542 subdivision. The superintendent shall include in the narrative portion  
543 of the report information about parental involvement and if the district  
544 has taken measures to improve parental involvement, including, but  
545 not limited to, employment of methods to engage parents in the  
546 planning and improvement of school programs and methods to  
547 increase support to parents working at home with their children on  
548 learning activities. For purposes of this subsection, measures of  
549 truancy include the type of data that is required to be collected by the  
550 Department of Education regarding attendance and unexcused  
551 absences in order for the department to comply with federal reporting  
552 requirements. Such truancy data shall be considered a public record  
553 for purposes of chapter 14.

554 (d) Prior to January 1, 2008, and every five years thereafter, for  
555 every school building that is or has been constructed, extended,  
556 renovated or replaced on or after January 1, 2003, a local or regional  
557 board of education shall provide for a uniform inspection and  
558 evaluation program of the indoor air quality within such buildings,  
559 such as the Environmental Protection Agency's Indoor Air Quality

560 Tools for Schools Program. The inspection and evaluation program  
561 shall include, but not be limited to, a review, inspection or evaluation  
562 of the following: (1) The heating, ventilation and air conditioning  
563 systems; (2) radon levels in the air; (3) potential for exposure to  
564 microbiological airborne particles, including, but not limited to, fungi,  
565 mold and bacteria; (4) chemical compounds of concern to indoor air  
566 quality including, but not limited to, volatile organic compounds; (5)  
567 the degree of pest infestation, including, but not limited to, insects and  
568 rodents; (6) the degree of pesticide usage; (7) the presence of and the  
569 plans for removal of any hazardous substances that are contained on  
570 the list prepared pursuant to Section 302 of the federal Emergency  
571 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)  
572 ventilation systems; (9) plumbing, including water distribution  
573 systems, drainage systems and fixtures; (10) moisture incursion; (11)  
574 the overall cleanliness of the facilities; (12) building structural  
575 elements, including, but not limited to, roofing, basements or slabs;  
576 (13) the use of space, particularly areas that were designed to be  
577 unoccupied; and (14) the provision of indoor air quality maintenance  
578 training for building staff. Local and regional boards of education  
579 conducting evaluations pursuant to this subsection shall make  
580 available for public inspection the results of the inspection and  
581 evaluation at a regularly scheduled board of education meeting and on  
582 the board's or each individual school's web site.

583 (e) Each local and regional board of education shall establish a  
584 school district curriculum committee. The committee shall  
585 recommend, develop, review and approve all curriculum for the local  
586 or regional school district.

587 (f) Each local and regional board of education shall maintain in a  
588 central location all records of allegations, investigations and reports  
589 that a child has been abused or neglected by a school employee, as  
590 defined in section 53a-65, employed by the local or regional board of  
591 education, conducted pursuant to sections 17a-101a to 17a-101d,  
592 inclusive, as amended by this act, and section 17a-103. Such records  
593 shall include any reports made to the Department of Children and

594 Families. The Department of Education shall have access to such  
595 records.

596 Sec. 7. (NEW) (*Effective July 1, 2011*) (a) If the Commissioner of  
597 Children and Families suspects or knows that a mandated reporter, as  
598 defined in section 17a-101 of the general statutes, as amended by this  
599 act, employed by a local or regional board of education, has failed to  
600 make a report that a child has been abused or neglected or placed in  
601 immediate risk of serious harm within the time period prescribed in  
602 sections 17a-101a to 17a-101d, inclusive, of the general statutes, as  
603 amended by this act, and section 17a-103 of the general statutes, the  
604 commissioner shall make a record of such delay and develop and  
605 maintain a database of such records. The commissioner shall  
606 investigate such delayed reporting. Such investigation shall be  
607 conducted in accordance with the policy developed in subsection (b) of  
608 this section, and include the actions taken by the employing local or  
609 regional board of education or superintendent of schools for the  
610 district in response to such employee's failure to report.

611 (b) The Department of Children and Families shall develop a policy  
612 for the investigation of delayed reports by mandated reporters. Such  
613 policy shall include, but not be limited to, when referrals to the  
614 appropriate law enforcement agency for delayed reporting are  
615 required and when the department shall require mandated reporters  
616 who have been found to have delayed making a report to participate in  
617 the educational and training program pursuant to subsection (d) of  
618 section 17a-101 of the general statutes, as amended by this act.

619 Sec. 8. Section 17a-101a of the general statutes is repealed and the  
620 following is substituted in lieu thereof (*Effective July 1, 2011*):

621 Any mandated reporter, as defined in section 17a-101, as amended  
622 by this act, who in the ordinary course of such person's employment or  
623 profession has reasonable cause to suspect or believe that any child  
624 under the age of eighteen years (1) has been abused or neglected, as  
625 defined in section 46b-120, (2) has had nonaccidental physical injury,

626 or injury which is at variance with the history given of such injury,  
627 inflicted upon such child, or (3) is placed at imminent risk of serious  
628 harm, shall report or cause a report to be made in accordance with the  
629 provisions of sections 17a-101b to 17a-101d, inclusive, as amended by  
630 this act. Any person required to report under the provisions of this  
631 section who fails to make such report or fails to make such report  
632 within the time period prescribed in sections 17a-101b to 17a-101d,  
633 inclusive, as amended by this act, and section 17a-103 shall be fined  
634 not less than five hundred dollars nor more than two thousand five  
635 hundred dollars and shall be required to participate in an educational  
636 and training program pursuant to subsection (d) of section 17a-101, as  
637 amended by this act. The Commissioner of Children and Families, or  
638 the commissioner's designee, shall promptly notify the Chief State's  
639 Attorney when there is reason to believe that any such person has  
640 failed to make a report in accordance with this section.

641 Sec. 9. Section 17a-101c of the general statutes is repealed and the  
642 following is substituted in lieu thereof (*Effective July 1, 2011*):

643 [Within] Not later than forty-eight hours [of] after making an oral  
644 report, a mandated reporter shall submit a written report to the  
645 Commissioner of Children and Families or [his representative] the  
646 commissioner's designee. When a mandated reporter is a member of  
647 the staff of a public or private institution or facility that provides care  
648 for such child or public or private school [he] the reporter shall also  
649 submit a copy of the written report to the person in charge of such  
650 institution, school or facility or the person's designee. In the case of a  
651 report concerning a school employee holding a certificate,  
652 authorization or permit issued by the State Board of Education under  
653 the provisions of sections 10-144o to 10-146b, inclusive, as amended by  
654 this act, and 10-149, a copy of the written report shall also be sent by  
655 the [person in charge of such institution, school or facility]  
656 Commissioner of Children and Families or the commissioner's  
657 designee to the Commissioner of Education or [his representative] the  
658 commissioner's designee. In the case of an employee of a facility or  
659 institution that provides care for a child which is licensed by the state,

660 a copy of the written report shall also be sent by the [mandated  
661 reporter] Commissioner of Children and Families to the executive head  
662 of the state licensing agency.

663 Sec. 10. (NEW) (*Effective July 1, 2011*) When the Commissioner of  
664 Children and Families receives a report from a person not designated  
665 as a mandated reporter pursuant to section 17a-101 of the general  
666 statutes, as amended by this act, that such person has reasonable cause  
667 to suspect or believe that any child under the age of eighteen years (1)  
668 has been abused or neglected, as defined in section 46b-120 of the  
669 general statutes, (2) has had nonaccidental physical injury, or injury  
670 which is at variance with the history given of such injury, inflicted  
671 upon such child, or (3) is placed at imminent risk of serious harm by a  
672 school employee, as defined in section 53a-65 of the general statutes,  
673 holding a certificate, authorization or permit issued by the State Board  
674 of Education under the provisions of sections 10-144o to 10-146b,  
675 inclusive, of the general statutes, as amended by this act, and section  
676 10-149 of the general statutes, a copy of such report shall be sent by the  
677 Commissioner of Children and Families to the Commissioner of  
678 Education.

679 Sec. 11. Subsection (d) of section 17a-101b of the general statutes is  
680 repealed and the following is substituted in lieu thereof (*Effective July*  
681 *1, 2011*):

682 (d) Whenever a mandated reporter, as defined in section 17a-101, as  
683 amended by this act, has reasonable cause to suspect or believe that  
684 any child has been abused or neglected by a member of the staff of a  
685 public or private institution or facility that provides care for such child  
686 or a public or private school, the mandated reporter shall report as  
687 required in subsection (a) of this section. The Commissioner of  
688 Children and Families or the commissioner's designee shall notify the  
689 principal, headmaster, executive director or other person in charge of  
690 such institution, facility or school, or the person's designee, unless such  
691 person is the alleged perpetrator of the abuse or neglect of such child.  
692 In the case of a public school, the commissioner shall also notify the

693 person's employing superintendent. Such person in charge, or such  
694 person's designee, shall then immediately notify the child's parent or  
695 other person responsible for the child's care that a report has been  
696 made.

697       Sec. 12. (NEW) (*Effective July 1, 2011*) A local or regional board of  
698 education shall provide the Commissioner of Children and Families,  
699 upon request and for the purposes of an investigation by the  
700 commissioner of suspected child abuse or neglect by a teacher  
701 employed by such board of education, any records maintained or kept  
702 on file by such board of education. Such records shall include, but not  
703 be limited to, supervisory records, reports of competence, personal  
704 character and efficiency maintained in such teacher's personnel file  
705 with reference to evaluation of performance as a professional  
706 employee of such board of education, and records of the personal  
707 misconduct of such teacher. For purposes of this section, "teacher"  
708 includes each certified professional employee below the rank of  
709 superintendent employed by a board of education in a position  
710 requiring a certificate issued by the State Board of Education.

711       Sec. 13. (NEW) (*Effective July 1, 2011*) A local or regional board of  
712 education shall permit and give priority to any investigation  
713 conducted by the Commissioner of Children and Families or the  
714 appropriate local law enforcement agency that a child has been abused  
715 or neglected pursuant to sections 17a-101a to 17a-101d, inclusive, of the  
716 general statutes, as amended by this act, and section 17a-103 of the  
717 general statutes. Such board of education shall conduct its own  
718 investigation and take any disciplinary action, in accordance with the  
719 provisions of section 17a-101i of the general statutes, as amended by  
720 this act, upon notice from the commissioner or the appropriate local  
721 law enforcement agency that such board's investigation will not  
722 interfere with the investigation of the commissioner or such local law  
723 enforcement agency.

724       Sec. 14. (NEW) (*Effective July 1, 2011*) (a) The Department of  
725 Children and Families shall conduct, at least annually, random quality

726 assurance reviews of reports and investigations that a child has been  
727 abused or neglected by a school employee, as defined in section 53a-65  
728 of the general statutes. If, as a result of such review, the department  
729 discovers any issues in any report or investigation, the department  
730 shall take any necessary action to correct or satisfy such problem or  
731 issue. The department shall use such reviews to assess the quality and  
732 conduct of such investigations.

733 (b) The Department of Children and Families shall review, at least  
734 annually, with the Department of Education all records and  
735 information relating to reports and investigations that a child has been  
736 abused and neglected by a school employee, as defined in section 53a-  
737 65 of the general statutes, in the Department of Children and Families'  
738 possession to ensure that records and information are being shared  
739 properly. The departments shall address and correct any omissions or  
740 other problems in the records and information-sharing process of the  
741 departments.

742 Sec. 15. Section 17a-101d of the general statutes is repealed and the  
743 following is substituted in lieu thereof (*Effective July 1, 2011*):

744 All oral and written reports required in sections 17a-101a to 17a-  
745 101c, inclusive, as amended by this act, and section 17a-103, shall  
746 contain, if known: (1) The names and addresses of the child and his  
747 parents or other person responsible for his care; (2) the age of the child;  
748 (3) the gender of the child; (4) the nature and extent of the child's  
749 injury or injuries, maltreatment or neglect; (5) the approximate date  
750 and time the injury or injuries, maltreatment or neglect occurred; (6)  
751 information concerning any previous injury or injuries to, or  
752 maltreatment or neglect of, the child or his siblings; (7) the  
753 circumstances in which the injury or injuries, maltreatment or neglect  
754 came to be known to the reporter; (8) the name of the person or  
755 persons suspected to be responsible for causing such injury or injuries,  
756 maltreatment or neglect; (9) the reasons such person or persons are  
757 suspected of causing such injury or injuries, maltreatment or neglect;  
758 (10) any information concerning any prior cases in which such person

759 or persons have been suspected of causing an injury, maltreatment or  
760 neglect of a child; and [(9)] (11) whatever action, if any, was taken to  
761 treat, provide shelter or otherwise assist the child.

762 Sec. 16. Subsection (a) of section 17a-101g of the general statutes is  
763 repealed and the following is substituted in lieu thereof (*Effective July*  
764 *1, 2011*):

765 (a) Upon receiving a report of child abuse or neglect, as provided in  
766 sections 17a-101a to 17a-101c, inclusive, as amended by this act, or  
767 section 17a-103, in which the alleged perpetrator is (1) a person  
768 responsible for such child's health, welfare or care, (2) a person given  
769 access to such child by such responsible person, or (3) a person  
770 entrusted with the care of a child, the Commissioner of Children and  
771 Families, or the commissioner's designee, shall cause the report to be  
772 classified and evaluated immediately. If the report contains sufficient  
773 information to warrant an investigation, the commissioner shall make  
774 the commissioner's best efforts to commence an investigation of a  
775 report concerning an imminent risk of physical harm to a child or other  
776 emergency within two hours of receipt of the report and shall  
777 commence an investigation of all other reports within seventy-two  
778 hours of receipt of the report. If the alleged perpetrator is a school  
779 employee, as defined in section 53a-65, or is employed by an  
780 institution or facility licensed or approved by the state to provide care  
781 for children, the department shall notify the Department of Education  
782 or the state agency that has issued such license or approval to the  
783 institution or facility of the report and the commencement of an  
784 investigation by the Commissioner of Children and Families. The  
785 department shall complete any such investigation not later than forty-  
786 five calendar days after the date of receipt of the report. If the report is  
787 a report of child abuse or neglect in which the alleged perpetrator is  
788 not a person specified in subdivision (1), (2) or (3) of this subsection,  
789 the Commissioner of Children and Families shall refer the report to the  
790 appropriate local law enforcement authority for the town in which the  
791 child resides or in which the alleged abuse or neglect occurred.

792 Sec. 17. Section 17a-101h of the general statutes is repealed and the  
793 following is substituted in lieu thereof (*Effective July 1, 2011*):

794 Notwithstanding any provision of the general statutes, [to the  
795 contrary,] any person authorized to conduct an investigation of abuse  
796 or neglect shall coordinate investigatory activities in order to minimize  
797 the number of interviews of any child and share information with  
798 other persons authorized to conduct an investigation of child abuse or  
799 neglect, as appropriate. A person reporting child abuse or neglect shall  
800 provide any person authorized to conduct an investigation of child  
801 abuse or neglect with all information related to the investigation that is  
802 in the possession or control of the person reporting child abuse or  
803 neglect, except as expressly prohibited by state or federal law. The  
804 commissioner shall obtain the consent of parents or guardians or other  
805 persons responsible for the care of the child to any interview with a  
806 child, except that such consent shall not be required when the  
807 department has reason to believe such parent or guardian or other  
808 person responsible for the care of the child or member of the child's  
809 household is the perpetrator of the alleged abuse. If consent is not  
810 required to conduct the interview, such interview shall be conducted  
811 in the presence of a disinterested adult unless immediate access to the  
812 child is necessary to protect the child from imminent risk of physical  
813 harm and a disinterested adult is not available after reasonable search.

814 Sec. 18. Subdivision (2) of subsection (j) of section 10-145b of the  
815 general statutes is repealed and the following is substituted in lieu  
816 thereof (*Effective from passage*):

817 (2) When the Commissioner of Education is notified, pursuant to  
818 section 10-149a or 17a-101i, as amended by this act, that a person  
819 holding a certificate, authorization or permit issued by the State Board  
820 of Education under the provisions of sections 10-144o to 10-149,  
821 inclusive, as amended by this act, has been convicted of (A) a capital  
822 felony, pursuant to section 53a-54b, (B) arson murder, pursuant to  
823 section 53a-54d, (C) a class A felony, (D) a class B felony, except a  
824 violation of section 53a-122, 53a-252 or 53a-291, (E) a crime involving

825 an act of child abuse or neglect as described in section 46b-120, or (F) a  
826 violation of section 53-21, 53-37a, [53a-49,] 53a-60b, 53a-60c, 53a-71,  
827 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-103a, 53a-181c,  
828 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278 or subsection  
829 (a) of section 21a-277, any certificate, permit or authorization issued by  
830 the State Board of Education and held by such person shall be deemed  
831 revoked and the commissioner shall notify such person of such  
832 revocation, provided such person may request reconsideration  
833 pursuant to regulations adopted by the State Board of Education, in  
834 accordance with the provisions of chapter 54. As part of such  
835 reconsideration process, the board shall make the initial determination  
836 as to whether to uphold or overturn the revocation. The commissioner  
837 shall make the final determination as to whether to uphold or overturn  
838 the revocation.

839 Sec. 19. Section 10-145i of the general statutes is repealed and the  
840 following is substituted in lieu thereof (*Effective from passage*):

841 Notwithstanding the provisions of sections 10-144o to 10-146b,  
842 inclusive, as amended by this act, and 10-149, the State Board of  
843 Education shall not issue or reissue any certificate, authorization or  
844 permit pursuant to said sections if (1) the applicant for such certificate,  
845 authorization or permit has been convicted of any of the following: (A)  
846 A capital felony, as defined in section 53a-54b; (B) arson murder, as  
847 defined in section 53a-54d; (C) any class A felony; (D) any class B  
848 felony except a violation of section 53a-122, 53a-252 or 53a-291; (E) a  
849 crime involving an act of child abuse or neglect as described in section  
850 46b-120; or (F) a violation of section 53-21, 53-37a, [53a-49,] 53a-60b,  
851 53a-60c, 53a-71, 53a-72a, 53a-72b, 53a-73a, 53a-88, 53a-90a, 53a-99, 53a-  
852 103a, 53a-181c, 53a-191, 53a-196, 53a-196c, 53a-216, 53a-217b or 21a-278  
853 or a violation of subsection (a) of section 21a-277, and (2) the applicant  
854 completed serving the sentence for such conviction within the five  
855 years immediately preceding the date of the application.

