



General Assembly

January Session, 2011

Raised Bill No. 1139

LCO No. 4175

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Referred to Committee on Education

Introduced by:
(ED)

**AN ACT CONCERNING STRATEGIC PLANNING IN STATE
EDUCATION POLICY AND ASSAULTS ON TEACHERS.**

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

1 Section 1. Section 10-233g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) Where there is a physical assault made by a student upon a
4 teacher or other school employee on school property or in performance
5 of school duties and such teacher or employee files a written report
6 with the school principal based upon such assault, the school building
7 principal shall report such physical assault to the local police authority.

8 (b) No school administrator shall interfere with the right of a teacher
9 or other employee of a board of education to file a complaint with the
10 local police authority in cases of threats of physical violence and in
11 cases of physical assaults by a student against such teacher or
12 employee.

13 (c) Any principal required to report under the provisions of
14 subsection (a) of this section who fails to make such report to the local

15 police authority shall be fined not less than five hundred dollars nor
16 more than two thousand five hundred dollars and shall be required to
17 participate in an educational and training program pursuant to
18 subsection (d) of this section.

19 (d) Any principal required to report under the provisions of
20 subsection (a) of this section who fails to make such report to the local
21 police authority shall be required to participate in an educational and
22 training program established by the Commissioner of Education. The
23 program may be provided by one or more private organizations
24 approved by the commissioner, provided the entire costs of the
25 program shall be paid from fees charged to the participants, the
26 amount of which shall be subject to the approval of the commissioner.

27 Sec. 2. Section 10-236a of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective October 1, 2011*):

29 (a) Each board of education shall protect and save harmless any
30 member of such board or any teacher or other employee thereof or any
31 member of its supervisory or administrative staff, and the State Board
32 of Education, the Board of Governors of Higher Education, the board
33 of trustees of each state institution and each state agency which
34 employs any teacher, and the managing board of any public school, as
35 defined in section 10-183b, shall protect and save harmless any
36 member of such boards, or any teacher or other employee thereof or
37 any member of its supervisory or administrative staff employed by it,
38 from financial loss and expense, including payment of expenses
39 reasonably incurred for medical or other service necessary as a result
40 of an assault upon such teacher or other employee while such person
41 was acting in the discharge of his or her duties within the scope of his
42 employment or under the direction of such board of education, Board
43 of Governors of Higher Education, board of trustees, state agency,
44 department or managing board, which expenses are not paid by the
45 individual teacher's or employee's insurance, workers' compensation
46 or any other source not involving an expenditure by such teacher or

47 employee.

48 (b) Any teacher or employee absent from employment as a result of
49 injury sustained during an assault or for a court appearance in
50 connection with such assault shall continue to receive his or her full
51 salary, while so absent, except that the amount of any workers'
52 compensation award may be deducted from salary payments during
53 such absence. The time of such absence shall not be charged against
54 such teacher or employee's sick leave, vacation time or personal leave
55 days.

56 (c) Any teacher or other employee who has been the victim of an
57 assault by a student while such person was acting in the discharge of
58 his or her duties within the scope of his or her employment or under
59 the direction of such board of education, Board of Governors of Higher
60 Education, board of trustees, state agency, department or managing
61 board may either (1) bring a civil action in the superior court for the
62 judicial district where such teacher or other employee is employed for
63 back wages, employee benefits or other financial loss and expense
64 incurred as a result of such assault; or (2) file a complaint with the
65 chairman of the Workers' Compensation Commission for back wages,
66 employee benefits or other financial loss and expense incurred as a
67 result of such assault.

68 [(c)] (d) For the purposes of this section, the terms "teacher" and
69 "other employee" shall include any student teacher doing practice
70 teaching under the direction of a teacher employed by a local or
71 regional board of education or by the State Board of Education or
72 Board of Governors of Higher Education, and any member of the
73 faculty or staff or any student employed by The University of
74 Connecticut Health Center or health services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	10-233g

Sec. 2	October 1, 2011	10-236a
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Statement of Purpose:

To impose sanctions and fines on principals who fail to report a physical assault on a teacher or school employee by a student and to permit a teacher or other school employee who has been the victim of a physical assault by a student to file a claim in the Superior Court or file a complaint with the chairman of the Workers' Compensation Commission.

[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.]