



# House of Representatives

**File No. 871**

General Assembly

January Session, 2015

**(Reprint of File No. 285)**

Substitute House Bill No. 6836  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 20, 2015

**AN ACT CONCERNING THE TIMING OF CRIMINAL HISTORY  
RECORDS CHECKS FOR SCHOOL EMPLOYEES.**

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 Section 10-221d of the general statutes is repealed and the  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, 2015*):

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) (A) on and after July 1, 2011, require each applicant for a position in  
8 a public school requiring a certificate, authorization or permit issued  
9 pursuant to chapter 166 to submit to a records check of the Department  
10 of Children and Families child abuse and neglect registry established  
11 pursuant to section 17a-101k, before such applicant may be hired by  
12 such board, and (B) on and after July 1, 2012, require each applicant for  
13 a position in a public school that does not require a certificate,  
14 authorization or permit issued pursuant to chapter 166 to submit to a

15 records check of the Department of Children and Families child abuse  
16 and neglect registry established pursuant to section 17a-101k, before  
17 such applicant may be hired by such board, (3) require, subject to the  
18 provisions of subsection (d) of this section, each person hired by the  
19 board after July 1, [1994] 2015, to submit to state and national criminal  
20 history records checks [within thirty] not later than five business days  
21 [from] after the date of employment and may require, subject to the  
22 provisions of subsection (d) of this section, any person hired prior to  
23 said date to submit to state and national criminal history records  
24 checks, and (4) require each worker (A) placed within a school under a  
25 public assistance employment program, (B) employed by a provider of  
26 supplemental services pursuant to the No Child Left Behind Act, P.L.  
27 107-110, or (C) on and after July 1, [2010] 2015, in a nonpaid,  
28 noncertified position completing preparation requirements for the  
29 issuance of an educator certificate pursuant to chapter 166, who  
30 performs a service involving direct student contact to submit to state  
31 and national criminal history records checks [within thirty] not later  
32 than five business days [from] after the date such worker begins to  
33 perform such service. The criminal history records checks required by  
34 this subsection shall be conducted in accordance with section 29-17a. If  
35 the local or regional board of education receives notice of a conviction  
36 of a crime which has not previously been disclosed by such person to  
37 the board, the board may (i) terminate the contract of a certified  
38 employee, in accordance with the provisions of section 10-151, and (ii)  
39 dismiss a noncertified employee provided such employee is notified of  
40 the reason for such dismissal, is provided the opportunity to file with  
41 the board, in writing, any proper answer to such criminal conviction  
42 and a copy of the notice of such criminal conviction, the answer and  
43 the dismissal order are made a part of the records of the board. In  
44 addition, if the local or regional board of education receives notice of a  
45 conviction of a crime by a person (I) holding a certificate, authorization  
46 or permit issued by the State Board of Education, (II) employed by a  
47 provider of supplemental services, or (III) on and after July 1, 2010, in a  
48 nonpaid, noncertified position completing preparation requirements  
49 for the issuance of an educator certificate pursuant to chapter 166, the

50 local or regional board of education shall send such notice to the State  
51 Board of Education. [The] For any person hired on or after July 1, 2015,  
52 the supervisory agent of a private school [may] shall require any  
53 applicant for a position in such school [or any employee of such  
54 school] to submit to state and national criminal history records checks  
55 in accordance with the procedures described in this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10-221d

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Department of Emergency Services and Public Protection	GF - Cost	Less than \$30,000	Less than \$30,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill modifies background check requirements for certain applicants and employees of local and regional boards of education and is anticipated to result in a cost to the Department of Emergency Services and Public Protection of less than \$30,000 in FY 16 and annually thereafter.

Given that the accelerated deadline for criminal history checks impacts only new hires, the additional workload can likely be processed utilizing overtime without additional staff.

House "A" strikes the underlying bill and results in the fiscal impact identified above.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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**OLR Bill Analysis****sHB 6836 (as amended by House "A")\******AN ACT CONCERNING THE TIMING OF CRIMINAL HISTORY RECORDS CHECKS FOR SCHOOL EMPLOYEES.*****SUMMARY:**

This bill makes changes in criminal background check requirements for employees hired by both local and regional boards of education and private schools.

It shortens the deadline for people hired by local and regional boards to submit to state and national criminal history record checks. Individuals hired after July 1, 2015 must submit to these checks within five business days, rather than 30 days, of hire.

The bill similarly shortens the criminal background check deadline for several categories of workers who are not directly hired by a board of education but provide services in schools involving direct student contact: those who are (1) placed in a school under a public assistance employment program; (2) employed by a supplemental educational services provider (see BACKGROUND); or (3) placed in a nonpaid, noncertified position to satisfy teacher certification requirements.

Also, the bill requires private school supervisory agents to require job applicants hired on or after July 1, 2015 to submit to state and national criminal history record checks. Current law allows, rather than requires, private schools to have new hires submit to these checks. By law, unchanged by the bill, private schools must follow the same criminal background check procedures as local and regional boards of education.

\*House Amendment "A" adds criminal background check

requirements for private school employees and removes the original bill's requirement that the Department of Emergency Services and Public Protection expedite background check requests from local or regional boards of education for no additional fee.

EFFECTIVE DATE: July 1, 2015

**BACKGROUND**

***Supplemental Educational Services***

Supplemental educational services consist of free extra academic help, such as tutoring or remedial help, provided to students in subjects such as reading, language arts, and math. Under the federal No Child Left Behind Act, children from low-income families may enroll in these services if they attend a Title I school designated by the state to be in need of improvement for more than one year. Providers of such services include nonprofit entities, for-profit entities, local or regional school districts, public schools, public charter schools, or private schools. The State Department of Education approves all eligible providers.

**COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/11/2015)