



STATE OF CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES

Public Hearing Testimony
Committee on Children
February 24, 2015



S.B. No. 926 AN ACT CONCERNING UNSUBSTANTIATED ALLEGATIONS OF ABUSE OR NEGLECT BY SCHOOL EMPLOYEES

The Department of Children and Families **opposes** S.B. No. 926, An Act Concerning Allegations of Abuse or Neglect by School Employees.

It has been the public policy in Connecticut, since at least 1988, to apply protocols to the investigation of child abuse or neglect when the alleged perpetrator is a school employee. More recently, Public Act 11-93 expanded the law governing the reporting and investigation of suspected child abuse and neglect, with particular focus on school employees who are the alleged perpetrators and the local or regional school district's response.

The Department has up to forty-five days to complete its investigation and determine whether neglect or abuse has occurs. We cannot make a "good faith determination" that would be required in section 1 (lines 39 through 49) until the investigation is complete. If subsection (e) were to be enacted, a school's administration may not be aware of an incident of abuse or neglect perpetrated by a school employee because the neglect or abuse does not have to occur within the school system. If the school administration is not aware of an incident, it cannot take steps to protect the children in the school. Also, it is not clear what the last sentence is intended to do or what "determine the reason" means. From our perspective, the reason is always that the person is suspected of an act of abuse or neglect.

We are also concerned with the new language in section 2. We are concerned that notification of appropriate school officials could be delayed for up to forty-five days.

Regarding section 3, the new subsection (c) includes language that appears to be duplicative of provisions of subsection (a) of the same section, which requires that SDE and the superintendent be provided with the results of an investigation regardless of the outcome of that investigation. This section was amended last year by Public Act 14-186, which made clarifying changes to statute concerning DCF investigations of allegations of child abuse or neglect involving school employees. It also allowed DCF to share the outcome of investigations with school officials. Prior law only had DCF sharing information with school superintendents regarding substantiated findings. In order to protect the interest of all parties, including the school employee, it was necessary to close the loop since the superintendent already had notice of the investigation but not necessarily its final disposition.

The Department objects to a special timetable for the expungement of DCF records for school employees in section 4 (lines 237 through 242) of the bill. We believe that it is important to

keep records for a certain period of time because the history may be useful in the future if another allegation arises. School employees are entitled to expungement of records on the same time table as everyone else. DCF expunges reports of neglect and abuse that have been investigated and not substantiated five years from the completion date of the investigation. If the Department has received more than one report on a person, and they are all unsubstantiated, they shall be expunged five years from the completion date of the most recent investigation. Unsubstantiated investigations are not expunged if the person has been substantiated as a perpetrator in any other case.