



General Assembly

January Session, 2015

Raised Bill No. 6836

LCO No. 3490



Referred to Committee on EDUCATION

Introduced by:
(ED)

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. Subsection (a) of section 10-221d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2015*):

4 (a) Each local and regional board of education shall (1) require each
5 applicant for a position in a public school to state whether such person
6 has ever been convicted of a crime or whether criminal charges are
7 pending against such person at the time of such person's application,
8 (2) (A) on and after July 1, 2011, require each applicant for a position in
9 a public school requiring a certificate, authorization or permit issued
10 pursuant to chapter 166 to submit to a records check of the Department
11 of Children and Families child abuse and neglect registry established
12 pursuant to section 17a-101k, before such applicant may be hired by
13 such board, and (B) on and after July 1, 2012, require each applicant for
14 a position in a public school that does not require a certificate,
15 authorization or permit issued pursuant to chapter 166 to submit to a

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

50 for the issuance of an educator certificate pursuant to chapter 166, the
51 local or regional board of education shall send such notice to the State
52 Board of Education. The supervisory agent of a private school may
53 require any applicant for a position in such school or any employee of
54 such school to submit to state and national criminal history records
55 checks in accordance with the procedures described in this subsection.

56 Sec. 2. Subsection (c) of section 29-17a of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective July*
58 *1, 2015*):

59 (c) The Commissioner of Emergency Services and Public Protection
60 (1) may provide an expedited service for persons requesting criminal
61 history records checks in accordance with this section, and (2) shall
62 provide an expedited service for any local or regional board of
63 education requesting criminal history records checks in accordance
64 with section 10-221d, as amended by this act. Such expedited service
65 shall include making the results of such records checks available to the
66 requesting party through the Internet. The commissioner may enter
67 into a contract with any person, firm or corporation to establish and
68 administer such expedited service. The commissioner shall charge, in
69 addition to the fees charged pursuant to subsection (b) of this section, a
70 fee of fifty dollars for each expedited criminal history [record] records
71 check provided, except the commissioner shall not charge an
72 additional fee for each expedited criminal history records check
73 requested by a local or regional board of education. The fee charged
74 pursuant to subsection (b) of this section and the expedited service fee
75 charged pursuant to this subsection, if any, shall be paid by the
76 requesting party in such manner as may be required by the
77 commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	10-221d(a)
Sec. 2	July 1, 2015	29-17a(c)

Statement of Purpose:

To shorten the period of time that a person hired by a board of education is required to submit to a criminal history records check from thirty days to five business days and to require the Department of Emergency Services and Public Protection to conduct expedited criminal history records checks for such persons and to waive the fee for such expedited service.

[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.]