



**Substitute Senate Bill No. 926**

**Public Act No. 15-112**

**AN ACT CONCERNING UNSUBSTANTIATED ALLEGATIONS OF ABUSE OR NEGLECT BY SCHOOL EMPLOYEES.**

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

Section 1. Section 17a-101i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

(a) Notwithstanding any provision of the general statutes, not later than five working days after an investigation of a report that a child has been abused or neglected by a school employee, as defined in section 53a-65, has been completed, the Commissioner of Children and Families shall notify the school employee, the employing superintendent and the Commissioner of Education of the results of such investigation and shall provide records, whether or not created by the department, concerning such investigation to the superintendent and the Commissioner of Education. The Commissioner of Children and Families shall provide such notice whether or not the child was a student in the employing school or school district. If (1) the Commissioner of Children and Families, based upon the results of the investigation, has reasonable cause to believe that a child has been abused or neglected by such employee, and (2) the commissioner recommends such school employee be placed on the child abuse and neglect registry established pursuant to section 17a-

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101k, the superintendent shall suspend such school employee. Such suspension shall be with pay and shall not result in the diminution or termination of benefits to such employee. Not later than seventy-two hours after such suspension the superintendent shall notify the local or regional board of education and the Commissioner of Education, or the commissioner's representative, of the reasons for and conditions of the suspension. The superintendent shall disclose such records to the Commissioner of Education and the local or regional board of education or its attorney for purposes of review of employment status or the status of such employee's certificate, permit or authorization. The suspension of a school employee employed in a position requiring a certificate shall remain in effect until the board of education acts pursuant to the provisions of section 10-151. If the contract of employment of such certified school employee is terminated, or such certified school employee resigns such employment, the superintendent shall notify the Commissioner of Education, or the commissioner's representative, within seventy-two hours after such termination or resignation. Upon receipt of such notice from the superintendent, the Commissioner of Education may commence certification revocation proceedings pursuant to the provisions of subsection (i) of section 10-145b. Notwithstanding the provisions of sections 1-210 and 1-211, information received by the Commissioner of Education, or the commissioner's representative, pursuant to this section shall be confidential subject to regulations adopted by the State Board of Education under section 10-145g.

(b) Not later than five working days after an investigation of a report that a child has been abused or neglected by a staff member of a public or private institution or facility that provides care for children or a private school has been completed, the Commissioner of Children and Families shall notify such staff member's employer at such institution, facility or school, or such employer's designee, of the results of the investigation. If (1) the [Commissioner of Children and

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Families] commissioner, based upon the results of the investigation, has reasonable cause to believe that a child has been abused or neglected by such staff member, and (2) the commissioner recommends that such staff member be placed on the child abuse and neglect registry established pursuant to section 17a-101k, such institution, facility or school shall suspend such staff person. Such suspension shall be with pay and shall not result in diminution or termination of benefits to such staff person. Such suspension shall remain in effect until the incident of abuse or neglect has been satisfactorily resolved by the employer of the staff person or until an appeal, conducted in accordance with section 17a-101k, has resulted in a finding that such staff person is not responsible for the abuse or neglect or does not pose a risk to the health, safety or well-being of children. If such staff member has a professional license or certificate issued by the state or a permit or authorization issued by the State Board of Education or if such institution, school or facility has a license or approval issued by the state, the commissioner shall forthwith notify the state agency responsible for issuing such license, certificate, permit, approval or authorization to the staff member and provide records, whether or not created by the department, concerning such investigation.

(c) (1) If, upon completion of an investigation of a report that a child has been abused or neglected by a school employee, the Commissioner of Children and Families finds that such abuse or neglect is unsubstantiated, said commissioner shall notify the Commissioner of Education, the employing superintendent, the employing school or school district and the school employee of his or her findings. Upon receipt of such notification, the Department of Education, the employing superintendent and the employing school or school district shall remove any references to the report and investigation from the school employee's personnel records and any other records relating to such school employee.

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(2) A report that a child has been abused or neglected by a school employee that is found by the Commissioner of Children and Families to be unsubstantiated shall not be used against the school employee for any purpose relating to employment, including, but not limited to, discipline, salary, promotion, transfer, demotion, retention or continuance of employment, termination of employment or any right or privilege relating to employment.

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

[(d)] (e) For the purposes of receiving and making reports, notifying and receiving notification, or investigating, pursuant to the provisions of sections 17a-101a to 17a-101h, inclusive, and 17a-103, a superintendent of a school district or a supervisory agent of a nonpublic school may assign a designee to act on such superintendent's or agent's behalf.

[(e)] (f) On or before February 1, 2012, each local and regional board of education shall adopt a written policy, in accordance with the provisions of subsection (d) of section 17a-101, regarding the reporting by school employees, as defined in section 53a-65, of suspected child abuse in accordance with sections 17a-101a to 17a-101d, inclusive, and 17a-103. Such policy shall be distributed annually to all school employees employed by the local or regional board of education. The local or regional board of education shall document that all such

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school employees have received such written policy and completed the training and refresher training programs required by subsection (c) of section 17a-101.

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

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