

**Proposed Substitute  
Bill No. 926**

LCO No. 4758

**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:

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 Section 17a-101i of the general statutes is repealed and the  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

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

19 101k, as amended by this act, the superintendent shall suspend such  
20 school employee. Such suspension shall be with pay and shall not  
21 result in the diminution or termination of benefits to such employee.  
22 Not later than seventy-two hours after such suspension the  
23 superintendent shall notify the local or regional board of education  
24 and the Commissioner of Education, or the commissioner's  
25 representative, of the reasons for and conditions of the suspension. The  
26 superintendent shall disclose such records to the Commissioner of  
27 Education and the local or regional board of education or its attorney  
28 for purposes of review of employment status or the status of such  
29 employee's certificate, permit or authorization. The suspension of a  
30 school employee employed in a position requiring a certificate shall  
31 remain in effect until the board of education acts pursuant to the  
32 provisions of section 10-151. If the contract of employment of such  
33 certified school employee is terminated, or such certified school  
34 employee resigns such employment, the superintendent shall notify  
35 the Commissioner of Education, or the commissioner's representative,  
36 within seventy-two hours after such termination or resignation. Upon  
37 receipt of such notice from the superintendent, the Commissioner of  
38 Education may commence certification revocation proceedings  
39 pursuant to the provisions of subsection (i) of section 10-145b.  
40 Notwithstanding the provisions of sections 1-210 and 1-211,  
41 information received by the Commissioner of Education, or the  
42 commissioner's representative, pursuant to this section shall be  
43 confidential subject to regulations adopted by the State Board of  
44 Education under section 10-145g.

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

53 has reasonable cause to believe that a child has been abused or  
54 neglected by such staff member, and (2) the commissioner  
55 recommends that such staff member be placed on the child abuse and  
56 neglect registry established pursuant to section 17a-101k, as amended  
57 by this act, such institution, facility or school shall suspend such staff  
58 person. Such suspension shall be with pay and shall not result in  
59 diminution or termination of benefits to such staff person. Such  
60 suspension shall remain in effect until the incident of abuse or neglect  
61 has been satisfactorily resolved by the employer of the staff person or  
62 until an appeal, conducted in accordance with section 17a-101k, as  
63 amended by this act, has resulted in a finding that such staff person is  
64 not responsible for the abuse or neglect or does not pose a risk to the  
65 health, safety or well-being of children. If such staff member has a  
66 professional license or certificate issued by the state or a permit or  
67 authorization issued by the State Board of Education or if such  
68 institution, school or facility has a license or approval issued by the  
69 state, the commissioner shall forthwith notify the state agency  
70 responsible for issuing such license, certificate, permit, approval or  
71 authorization to the staff member and provide records, whether or not  
72 created by the department, concerning such investigation.

73 (c) Upon completion of an investigation of a report that a child has  
74 been abused or neglected by a school employee, as defined in section  
75 53a-65, pursuant to subsection (a) of this section, if the Commissioner  
76 of Children and Families has reasonable cause to believe that a child  
77 has not been abused or neglected by such school employee, the  
78 commissioner shall require any and all records, including copies of any  
79 notice placing the school employee on suspension or administrative  
80 leave, kept or maintained by the employing superintendent, local or  
81 regional board of education or the Commissioner of Education  
82 concerning the investigation shall be expunged not more than five  
83 working days after the completion date of such investigation.

84 [(c)] (d) If a school employee, as defined in section 53a-65, or any  
85 person holding a certificate, permit or authorization issued by the State  
86 Board of Education under the provisions of sections 10-144o to 10-149,

87 inclusive, is convicted of a crime involving an act of child abuse or  
88 neglect as described in section 46b-120 or a violation of section 53-21,  
89 53a-71 or 53a-73a, the state's attorney for the judicial district in which  
90 the conviction occurred shall in writing notify the superintendent of  
91 the school district or the supervisory agent of the nonpublic school in  
92 which the person is employed and the Commissioner of Education of  
93 such conviction.

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

100 ~~[(e)]~~ (f) On or before February 1, 2012, each local and regional board  
101 of education shall adopt a written policy, in accordance with the  
102 provisions of subsection (d) of section 17a-101, regarding the reporting  
103 by school employees, as defined in section 53a-65, of suspected child  
104 abuse in accordance with sections 17a-101a to 17a-101d, inclusive, and  
105 17a-103. Such policy shall be distributed annually to all school  
106 employees employed by the local or regional board of education. The  
107 local or regional board of education shall document that all such  
108 school employees have received such written policy and completed the  
109 training and refresher training programs required by subsection (c) of  
110 section 17a-101.

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

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

124 Sec. 2. Subsection (h) of section 17a-101k of the general statutes is  
125 repealed and the following is substituted in lieu thereof (*Effective July*  
126 *1, 2015*):

127 (h) (1) Records containing unsubstantiated findings and records  
128 relating to family assessment cases shall remain sealed, except that  
129 such records shall be made available to department employees in the  
130 proper discharge of their duties and shall be expunged by the  
131 commissioner five years from the completion date of the investigation  
132 or the closure of the family assessment case, whichever is later, if no  
133 further report is made about the individual subject to the investigation  
134 or the family subject to the assessment, except that if the department  
135 receives more than one report on [an] such individual subject to  
136 investigation or a family subject to assessment and each report is  
137 unsubstantiated, all reports and information pertaining to the  
138 individual or family shall be expunged by the commissioner five years  
139 from the completion date of the most recent investigation.

140 (2) Notwithstanding the provisions of subdivision (1) of this  
141 subsection, records containing unsubstantiated findings of an  
142 investigation of an allegation of abuse or neglect by a school employee,  
143 as defined in section 53a-65, in the course of such school employee's  
144 employment shall be expunged not more than five days after the  
145 completion date of such investigation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	17a-101i
Sec. 2	<i>July 1, 2015</i>	17a-101k(h)