



General Assembly

Amendment

January Session, 2015

LCO No. 7395



Offered by:

REP. FLEISCHMANN, 18th Dist.
REP. DARGAN, 115th Dist.
REP. LAVIELLE, 143rd Dist.
REP. ZUPKUS, 89th Dist.

To: Subst. House Bill No. 6836

File No. 285

Cal. No. 181

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 10-221d of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2015*):

5 (a) Each local and regional board of education shall (1) require each
6 applicant for a position in a public school to state whether such person
7 has ever been convicted of a crime or whether criminal charges are
8 pending against such person at the time of such person's application,
9 (2) (A) on and after July 1, 2011, require each applicant for a position in
10 a public school requiring a certificate, authorization or permit issued
11 pursuant to chapter 166 to submit to a records check of the Department
12 of Children and Families child abuse and neglect registry established

13 pursuant to section 17a-101k, before such applicant may be hired by
14 such board, and (B) on and after July 1, 2012, require each applicant for
15 a position in a public school that does not require a certificate,
16 authorization or permit issued pursuant to chapter 166 to submit to a
17 records check of the Department of Children and Families child abuse
18 and neglect registry established pursuant to section 17a-101k, before
19 such applicant may be hired by such board, (3) require, subject to the
20 provisions of subsection (d) of this section, each person hired by the
21 board after July 1, [1994] 2015, to submit to state and national criminal
22 history records checks [within thirty] not later than five business
23 [from] after the date of employment and may require, subject to the
24 provisions of subsection (d) of this section, any person hired prior to
25 said date to submit to state and national criminal history records
26 checks, and (4) require each worker (A) placed within a school under a
27 public assistance employment program, (B) employed by a provider of
28 supplemental services pursuant to the No Child Left Behind Act, P.L.
29 107-110, or (C) on and after July 1, [2010] 2015, in a nonpaid,
30 noncertified position completing preparation requirements for the
31 issuance of an educator certificate pursuant to chapter 166, who
32 performs a service involving direct student contact to submit to state
33 and national criminal history records checks [within thirty] not later
34 than five business days [from] after the date such worker begins to
35 perform such service. The criminal history records checks required by
36 this subsection shall be conducted in accordance with section 29-17a. If
37 the local or regional board of education receives notice of a conviction
38 of a crime which has not previously been disclosed by such person to
39 the board, the board may (i) terminate the contract of a certified
40 employee, in accordance with the provisions of section 10-151, and (ii)
41 dismiss a noncertified employee provided such employee is notified of
42 the reason for such dismissal, is provided the opportunity to file with
43 the board, in writing, any proper answer to such criminal conviction
44 and a copy of the notice of such criminal conviction, the answer and
45 the dismissal order are made a part of the records of the board. In
46 addition, if the local or regional board of education receives notice of a
47 conviction of a crime by a person (I) holding a certificate, authorization

48 or permit issued by the State Board of Education, (II) employed by a
 49 provider of supplemental services, or (III) on and after July 1, 2010, in a
 50 nonpaid, noncertified position completing preparation requirements
 51 for the issuance of an educator certificate pursuant to chapter 166, the
 52 local or regional board of education shall send such notice to the State
 53 Board of Education. [The] For any person hired on or after July 1, 2015,
 54 the supervisory agent of a private school [may] shall require any
 55 applicant for a position in such school [or any employee of such
 56 school] to submit to state and national criminal history records checks
 57 in accordance with the procedures described in this subsection."

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