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## OLR Bill Analysis

sHB 5334 (as amended by House "B")\*

### ***AN ACT CONCERNING NOTIFICATION BY CONTRACTORS TO SUPERINTENDENTS OF SCHOOLS REGARDING INCIDENTS OF ARREST BY EMPLOYEES.***

#### **SUMMARY**

This bill broadens existing Department of Children and Families (DCF) child abuse and neglect investigation notification requirements to include notifying public and private schools when an employee of a school contractor is the subject of an abuse and neglect complaint. It adds this requirement to the existing notification requirements regarding:

1. initial reports to DCF of child abuse and neglect,
2. the start of a DCF abuse or neglect investigation, and
3. investigation results.

The bill also allows the public or private school authorities to notify the contractor who employs the subject of the initial complaint when the investigation is completed.

It also makes conforming and technical changes.

\*House Amendment "B" eliminates the underlying bill that required certain contractors that receive information about an employee's arrest on child-related charges to notify the school district superintendent about the arrest and replaces it with the provisions requiring DCF to notify public and private school authorities, as appropriate, of abuse and neglect complaints, investigations, and investigation results of contractor employees.

EFFECTIVE DATE: October 1, 2018

## **§ 1 — INITIAL REPORT OF ABUSE OR NEGLECT**

Under current law, when DCF receives a report of alleged abuse or neglect about the staff member of a public or private school or a child care facility, it must provide notice of the allegations to the principal, headmaster, executive director, or other person in charge of the school or facility (i.e., “person in charge”). Under the bill, this notice requirement additionally applies when DCF receives a report of alleged neglect or abuse by a school employee under a broader definition. For these purposes, a school employee includes (1) anyone working in a public or private elementary, middle, or high school (those who work for such schools are already covered) or (2) anyone who, in the performance of his or her duties, has regular contact with students and who provides services to, or on behalf of, students enrolled in a public or private elementary, middle, or high school, pursuant to a contract with the board of education or private school supervisory agent.

If the individual is employed by a contractor that contracts with a private school or child care facility, the bill requires DCF to provide the notice to the person in charge of the school or facility that contracts with the individual’s employer. In cases of a public school, the bill requires DCF to provide notice to the superintendent of the board of education that contracts with the individual’s employer.

By law, the person in charge or the superintendent must immediately notify the child’s parent or other person responsible for the child that a neglect or abuse report has been made.

The bill also authorizes the person in charge of the school, or the superintendent, to notify the contractor that the report of abuse or neglect has been made.

## **§ 2 — INVESTIGATIONS**

If DCF begins investigating alleged child abuse or neglect, the bill requires it to determine whether the alleged perpetrator is a school employee, as defined under the bill and, if so, whether he or she is employed by a contractor of a board of education or the governing

authority of a public or private school or institution or child care facility. Under the bill, DCF must notify the following employers about an investigation of an alleged perpetrator:

1. board of education, DCF must notify the superintendent, or
2. private school, DCF must notify the private school person in charge.

If the alleged perpetrator works for a contractor under contract with a board of education or the governing authority of a private school, public or private institution, or child care facility, DCF must notify the superintendent or person in charge of the report and the commencement of an investigation.

By law, if the alleged perpetrator is employed by a public school or a licensed child care facility, DCF must notify the State Department of Education or the state agency that issues the license or approval for the facility.

### **§ 3 — COMPLETED INVESTIGATIONS**

By law, after DCF completes an investigation into a school employee, it has up to five working days to notify the school superintendent and provide records concerning the investigation. The bill specifies that the records are only those allowable by law.

The bill requires the notification to also go to the person in charge of the private school, institution, or facility that contracts with the contractor who employs the person under complaint.

The bill also authorizes a superintendent or the person in charge, upon the receipt of written authorization from the school employee, to notify the contractor that employs him or her of the investigation results.

### **COMMITTEE ACTION**

Education Committee

Joint Favorable Substitute

Yea 36 Nay 0 (03/14/2018)