



Senate

General Assembly

File No. 115

February Session, 2018

Senate Bill No. 317

Senate, March 28, 2018

The Committee on Children reported through SEN. MOORE, M. of the 22nd Dist. and SEN. SUZIO of the 13th Dist., Chairpersons of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE FAILURE TO REPORT CHILD ABUSE AND NEGLECT BY CERTAIN MANDATED REPORTERS.

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

1 Section 1. Section 17a-101o of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2018*):

3 (a) If the Commissioner of Children and Families suspects or knows
4 that a mandated reporter, as defined in section 17a-101, employed by a
5 local or regional board of education, has failed to make a report that a
6 child has been abused or neglected or placed in immediate risk of
7 serious harm within the time period prescribed in sections 17a-101a to
8 17a-101d, inclusive, and section 17a-103, the commissioner shall make
9 a record of such delay and develop and maintain a database of such
10 records. The commissioner shall investigate such delayed reporting
11 and report the findings of such investigation and documentation of
12 concerns related to such findings, if applicable, to such local or
13 regional board of education, the superintendent of the school district in

14 which the mandated reporter is employed and the Department of
 15 Education. Such investigation shall be conducted in accordance with
 16 the policy developed in subsection (b) of this section, and include the
 17 actions taken by the employing local or regional board of education or
 18 superintendent of schools for the district in response to such
 19 employee's failure to report.

20 (b) The Department of Children and Families shall develop a policy
 21 for the investigation of delayed reports by mandated reporters. Such
 22 policy shall include, but not be limited to, when referrals to the
 23 appropriate law enforcement agency for delayed reporting are
 24 required and when the department shall require mandated reporters
 25 who have been found to have delayed making a report to participate in
 26 the educational and training program pursuant to subsection (b) of
 27 section 17a-101a.

28 (c) For purposes of this section, "child" includes any victim
 29 described in subdivision (2) of subsection (a) of section 17a-101a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	17a-101o

KID *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill, which expands the reporting procedures the Commissioner of Children and Families must follow after a mandated reporter employed by a school board fails to report suspected child abuse or neglect within the time frame required by law, is not anticipated to result in a fiscal impact to the agency.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 317*****AN ACT CONCERNING THE FAILURE TO REPORT CHILD ABUSE AND NEGLECT BY CERTAIN MANDATED REPORTERS.*****SUMMARY**

This bill expands the reporting procedures the Commissioner of Children and Families must follow after a mandated reporter employed by a school board fails to report suspected child abuse or neglect (see BACKGROUND) within the time frame required by law.

By law, if the commissioner knows or suspects that such a person has failed to report as required, the commissioner must make a record of the delay and investigate it. The bill requires the commissioner to disclose the findings of the investigation and documentation of any related concerns to the (1) local or regional board of education, (2) superintendent of the school district employing the mandated reporter, and (3) Department of Education.

By law, unchanged by the bill, the commissioner must conduct the investigation in accordance with policy developed by the Department of Children and Families. This policy includes when law enforcement referrals are required and when the department requires mandated reporters to obtain additional training.

EFFECTIVE DATE: July 1, 2018

BACKGROUND***Mandatory Reporting of Suspected Child Abuse or Neglect***

By law, mandated child abuse reporters include, among others, various health care professionals, school employees, police officers, and members of the clergy. A mandated reporter is required to report suspected child abuse or neglect within certain specified timeframes if

in the ordinary course of his or her employment or profession, the person has reasonable cause to suspect a child under age 18 has:

1. been abused or neglected,
2. suffered a non-accidental physical injury or one that is inconsistent with the given history of such injury, or
3. been placed at imminent risk of serious harm.

The mandatory reporting law also requires school employees to report suspected sexual abuse by another school employee of a student, regardless of the student's age (CGS §§ 17a-101 & -101a).

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 12 Nay 0 (03/15/2018)