AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES.

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

Section 1. Section 10-221d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(a) As used in this section and sections 3 and 4 of this act, "eligible school operator" means a school or school district authorized to receive national criminal history record information from the Federal Bureau of Investigation pursuant to P.L. 92-544, and shall include a local or regional board of education, the Technical Education and Career System, the governing council of a state or local charter school, a cooperative arrangement pursuant to section 10-158a and an interdistrict magnet school operator other than an operator who is a third-party not-for-profit corporation approved by the Commissioner of Education.

[(a)] (b) Each [local and regional board of education, each governing council of a state or local charter school, each interdistrict magnet school operator and each supervisory agent of a nonpublic school] eligible school operator shall, subject to the provisions of section 31-51i, (1) require each applicant for a position [in a public school with such board, council or operator or nonpublic school with such]
supervisory agent] with such eligible school operator to state, in
writing, whether such applicant has ever been convicted of a crime or
whether criminal charges are pending against such applicant at the
time of such application and, if charges are pending, to state the
charges and the court in which such charges are pending. (2) require
each applicant to submit to a records check of the Department of
Children and Families child abuse and neglect registry established
pursuant to section 17a-101k, before such applicant may be hired by
such [board, council, operator or supervisory agent,] eligible school
operator, and (3) on and after July 1, 2017, 2019, require, subject to the
provisions of subsection [(d)] (e) of this section, each applicant for a
position with such eligible school operator to submit to state and
national criminal history records checks within thirty days from the
date of employment and may require, subject to the provisions of
subsection [(d)] (e) of this section, any person hired prior to said date
to submit to state and national criminal history records checks. [,, and
(4) require each worker (A) placed within a school under a public
assistance employment program, (B) employed by a provider of
supplemental services pursuant to the No Child Left Behind Act, P.L.
107-110, or (C) in a nonpaid, noncertified position completing
preparation requirements for the issuance of an educator certificate
pursuant to chapter 166, who performs a service involving direct
student contact to submit to state and national criminal history records
checks within thirty days from the date such worker begins to perform
such service.] The criminal history records checks required by this
subsection shall be conducted in accordance with section 29-17a. If the
[local or regional board of education] eligible school operator receives
notice of a conviction of a crime which has not previously been
disclosed by such person to the [board, the board] eligible school
operator, the eligible school operator may [(i)] (A) terminate the
contract of a certified employee, in accordance with the provisions of
section 10-151, and [(ii)] (B) dismiss a noncertified employee, provided
such employee is notified of the reason for such dismissal. [In addition,
if the local or regional board of education] If the eligible school
operator receives notice of a conviction of a crime by a person [(l)]
holding a certificate, authorization or permit issued by the State Board
of Education, [(II) employed by a provider of supplemental services, or
(III) in a nonpaid, noncertified position completing preparation
requirements for the issuance of an educator certificate pursuant to
chapter 166, the local or regional board of education] the eligible
school operator shall send such notice to the State Board of Education.
[The supervisory agent of a nonpublic school shall be responsible for
paying the fee charged pursuant to section 29-17a for a state and
national criminal history records check required under this section.]
The provisions of this subsection shall not be construed to cause an
eligible school operator to disseminate the results of any national
criminal history records check.

[(b) If a local or regional board of education, governing council of a
state or local charter school, operator of an interdistrict magnet school,
edowed or incorporated academy approved by the State Board of
Education pursuant to section 10-34, special education facility
approved by the State Board of Education pursuant to section 10-76d,
or supervisory agent of a nonpublic school]

(c) If an eligible school operator requests, a regional educational
service center shall arrange for the fingerprinting of any person
required to submit to state and national criminal history records
checks pursuant to this section or for conducting any other method of
positive identification required by the State Police Bureau of
Identification or the Federal Bureau of Investigation and shall forward
such fingerprints or other positive identifying information to the State
Police Bureau of Identification which shall conduct criminal history
records checks in accordance with section 29-17a. Such regional
educational service center shall maintain such fingerprints or other
positive identifying information, which may be in an electronic format,
for a period of four years, at the end of which such fingerprints and
positive identifying information shall be destroyed. [Such regional
educational service centers] The State Police Bureau of Identification
shall provide the results of such checks to such [local or regional board
of education, governing council of a state or local charter school, operator of an interdistrict magnet school, endowed or incorporated academy, special education facility or supervisory agent of a nonpublic school and to a contractor, in the case of any employee of an applicant contractor subject to such records checks. Such regional educational service centers shall provide such results to any other local or regional board of education or regional educational service center upon the request of such person [eligible school operator]. No regional educational service center shall charge a fee for services under this subsection that exceeds any fee that the center may charge any applicant for a position with such center.

[(c)] (d) State and national criminal history records checks for substitute teachers completed within one year prior to the date of employment with [a local or regional board of education, council, operator or supervisory agent] an eligible school operator and submitted to the employing [board of education, council, operator or supervisory agent] eligible school operator shall meet the requirements of [subdivision (3) of] subsection [(a)] (b) of this section. [A local or regional board of education, council, operator or supervisory agent] An eligible school operator shall not require substitute teachers to submit to state and national criminal history records checks pursuant to [subdivision (3) of] subsection [(a)] (b) of this section if they are continuously employed by such [local or regional board of education, council, operator or supervisory agent] eligible school operator, provided a substitute teacher is subjected to such checks at least once every five years. For purposes of this section, substitute teachers shall be deemed to be continuously employed by [a local or regional board of education, council, operator or supervisory agent] an eligible school operator if they are employed at least one day of each school year by such [local or regional board of education, council or operator] eligible school operator.

[(d)] (e) The provisions of this section shall not apply to (1) a student employed by [the local or regional school district in] the eligible school
(2) a person employed by [a local or regional board of education] an
eligible school operator as a teacher for a noncredit adult class or adult
education activity, as defined in section 10-67, who is not required to
hold a teaching certificate pursuant to section 10-145b for his or her
position.

[(e) The State Board of Education shall submit, periodically, a
database of applicants for an initial issuance of certificate,
authorization or permit pursuant to sections 10-144o to 10-149,
inclusive, to the State Police Bureau of Identification. The State Police
Bureau of Identification shall conduct a state criminal history records
check against such database and notify the State Board of Education of
any such applicant who has a criminal conviction. The State Board of
Education shall not issue a certificate, authorization or permit until it
receives and evaluates the results of such check and may deny an
application in accordance with the provisions of subsection (i) of
section 10-145b.

(f) The State Board of Education shall submit, periodically, a
database of all persons who hold certificates, authorizations or permits
to the State Police Bureau of Identification. The State Police Bureau of
Identification shall conduct a state criminal history records check
against such database and shall notify the State Board of Education of
any such person who has a criminal conviction. The State Board of
Education may revoke the certificate, authorization or permit of such
person in accordance with the provisions of subsection (i) of section 10-
145b.

(g) The State Board of Education shall require each applicant
seeking an initial issuance or renewal of a certificate, authorization or
permit pursuant to sections 10-144o to 10-149, inclusive, to submit to a
records check of the Department of Children and Families child abuse
and neglect registry established pursuant to section 17a-101k. If
notification is received that the applicant is listed as a perpetrator of
abuse or neglect on the Department of Children and Families child

operator that operates a school which the student attends, [school,] or
abuse and neglect registry, the board shall deny an application for the certificate, authorization or permit in accordance with the provisions of subsection (i) of section 10-145b, or may revoke the certificate, authorization or permit in accordance with the provisions of said subsection (i).]

[(h) Notwithstanding the provisions of subsection (g) of section 31-51i, and to the extent permissible under state and federal laws regarding the dissemination of criminal history records, the Department State Board of Education shall, upon request of a local or regional board of education, governing council of a state or local charter school, an interdistrict magnet school operator or the supervisory agent of a nonpublic school, an eligible school operator, make available to such local or regional board of education, governing council, interdistrict magnet school operator or supervisory agent of a nonpublic school eligible school operator requesting information concerning an applicant for a position with such board, council, operator or supervisory agent eligible school operator, any information concerning the applicant's eligibility for employment in a position with such board, council, operator or supervisory agent eligible school operator requiring a certificate, authorization or permit issued pursuant to chapter 166, whether the department has knowledge that the applicant has been disciplined for a finding of abuse or neglect or sexual misconduct, as defined in section 10-222c, and any information concerning such a finding, and whether the department has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges. The provisions of this subsection shall not be construed to cause the department to investigate any such request or disseminate the results of any national criminal history records check.

Sec. 2. (NEW) (Effective July 1, 2019) (a) As used in this section and sections 3 and 4 of this act, "nongovernmental school operator" means an operator of an interdistrict magnet school that is a third-party not-
for-profit corporation approved by the Commissioner of Education, 
the governing council of a state or local charter school, an endowed or 
incorporated academy approved by the State Board of Education 
pursuant to section 10-34 of the general statutes, a special education 
facility approved by the State Board of Education pursuant to section 
10-76d of the general statutes or the supervisory agent of a nonpublic 
school.

(b) Each nongovernmental school operator shall, subject to the 
provisions of section 31-51i of the general statutes, (1) require each 
applicant for a position with such nongovernmental school operator to 
state, in writing, whether such applicant has ever been convicted of a 
crime or whether criminal charges are pending against such applicant 
at the time of such application and, if charges are pending, to state the 
charges and the court in which such charges are pending, (2) require 
each applicant to submit to a records check of the Department of 
Children and Families child abuse and neglect registry established 
pursuant to section 17a-101k of the general statutes, before such 
applicant may be hired by such nongovernmental school operator, and 
(3) on and after July 1, 2019, require, subject to the provisions of 
subsection (e) of this section, each applicant for a position with such 
nongovernmental school operator to submit to state and national 
criminal history records checks within thirty days from the date of 
employment and may require, subject to the provisions of subsection 
(e) of this section, any person hired prior to said date to submit to state 
and national criminal history records checks. The criminal history 
records checks required by this subsection shall be conducted in 
accordance with section 29-17a of the general statutes, the federal 
National Child Protection Act of 1993 and the federal Volunteers for 
Children Act of 1998. If the nongovernmental school operator receives 
otice of a conviction of a crime which has not previously been 
disclosed by such person to the nongovernmental school operator, the 
nongovernmental school operator may (A) terminate the contract of a 
certified employee, in accordance with the provisions of section 10-151 
of the general statutes, if applicable, and (B) dismiss a noncertified
employee, provided such employee is notified of the reason for such
dismissal. If the nongovernmental school operator receives notice of a
conviction of a crime by a person holding a certificate, authorization or
permit issued by the State Board of Education, the nongovernmental
school operator shall send such notice to the State Board of Education.
The provisions of this subsection shall not be construed to cause a
nongovernmental school operator to disseminate the results of any
national criminal history records check.

(c) If a nongovernmental school operator requests, a regional
educational service center shall arrange for the fingerprinting of any
person required to submit to state and national criminal history
records checks pursuant to this section or for conducting any other
method of positive identification required by the State Police Bureau of
Identification or the Federal Bureau of Investigation and shall forward
such fingerprints or other positive identifying information to the State
Police Bureau of Identification which shall conduct criminal history
records checks in accordance with section 29-17a of the general
statutes, the federal National Child Protection Act of 1993 and the
federal Volunteers for Children Act of 1998. Such regional educational
service center shall maintain such fingerprints or other positive
identifying information, which may be in an electronic format, for a
period of four years, at the end of which such fingerprints and positive
identifying information shall be destroyed. The State Police Bureau of
Identification shall provide the results of such checks to such
nongovernmental school operator. No regional educational service
center shall charge a fee for services under this subsection that exceeds
any fee that the center may charge any applicant for a position with
such center.

(d) State and national criminal history records checks for substitute
teachers completed within one year prior to the date of employment
with a nongovernmental school operator and submitted to the
employing nongovernmental school operator shall meet the
requirements of subsection (b) of this section. A nongovernmental
school operator shall not require substitute teachers to submit to state
and national criminal history records checks pursuant to subsection (b)
of this section if they are continuously employed by such
nongovernmental school operator, provided a substitute teacher is
subjected to such checks at least once every five years. For purposes of
this section, substitute teachers shall be deemed to be continuously
employed by a nongovernmental school operator if they are employed
at least one day of each school year by such nongovernmental school
operator.

(e) The provisions of this section shall not apply to (1) a student
employed by the nongovernmental school operator that operates a
school which the student attends, or (2) a person employed by a
nongovernmental school operator as a teacher for a noncredit adult
class or adult education activity, as defined in section 10-67 of the
general statutes, who is not required to hold a teaching certificate
pursuant to section 10-145b of the general statutes for his or her
position.

(f) Notwithstanding the provisions of subsection (g) of section 31-51i
of the general statutes, and to the extent permissible under state and
federal laws regarding the dissemination of criminal history records,
the State Board of Education shall, upon request of a nongovernmental
school operator, make available to such nongovernmental school
operator requesting information concerning an applicant for a position
with such nongovernmental school operator, (1) any information
concerning the applicant's eligibility for employment in a position with
such nongovernmental school operator requiring a certificate,
authorization or permit issued pursuant to chapter 166 of the general
statutes, (2) whether the department has knowledge that the applicant
has been disciplined for a finding of abuse or neglect or sexual
misconduct, as defined in section 10-222c of the general statutes, and
any information concerning such a finding, and (3) whether the
department has received notification that the applicant has been
convicted of a crime or of criminal charges pending against the
applicant and any information concerning such charges. The provisions of this subsection shall not be construed to cause the state board to investigate any such request or disseminate the results of any national criminal history records check.

Sec. 3. (NEW) (Effective July 1, 2019) (a) Each eligible school operator and nongovernmental school operator shall require each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the general statutes, and completing his or her student teaching experience with such eligible school operator or nongovernmental school operator, to (1) state, in writing, whether such student has ever been convicted of a crime or whether criminal charges are pending against such applicant at the time of such application and, if charges are pending, to state the charges and the court in which such charges are pending, (2) submit to a records check of the Department of Children and Families child abuse and neglect registry established pursuant to section 17a-101k of the general statutes, before such student begins such student teaching experience, and (3) on and after July 1, 2019, submit to state and national criminal history records checks within sixty days from the date such student begins to perform such student teaching experience. The criminal history records checks required by this section shall be conducted in accordance with section 29-17a of the general statutes.

(b) The Commissioner of Emergency Services and Public Protection shall waive the fee for a criminal history records check required under this section.

Sec. 4. (NEW) (Effective July 1, 2019) Each eligible school operator or nongovernmental school operator may require any person who will perform a service involving direct contact with students to (1) state, in writing, whether such person has ever been convicted of a crime or whether criminal charges are pending against such applicant at the time of such application and, if charges are pending, to state the charges and the court in which such charges are pending, (2) submit to a records check of the Department of Children and Families child
abuse and neglect registry established pursuant to section 17a-101k of
the general statutes, before such person performs a service involving
direct contact with students, and (3) on and after July 1, 2019, submit to
state and national criminal history records checks in accordance with
section 29-17a of the general statutes and the National Child Protection
Act of 1993, P.L. 103-209, as amended from time to time.

Sec. 5. (NEW) (Effective July 1, 2019) (a) The State Board of Education
shall submit, periodically, to the State Police Bureau of Identification a
database providing identification information of each applicant to the
board for an initial issuance of certificate, authorization or permit
pursuant to sections 10-144o to 10-149, inclusive, of the general
statutes. The State Police Bureau of Identification shall conduct a state
criminal history records check in accordance with section 29-17a of the
general statutes against such database and notify the State Board of
Education of any such applicant who has a criminal conviction. The
State Board of Education shall not issue a certificate, authorization or
permit until the board receives and evaluates the results of such check
and may deny an application in accordance with the provisions of
subsection (i) of section 10-145b of the general statutes.

(b) The State Board of Education shall submit, periodically, to the
State Police Bureau of Identification a database providing
identification information of each person who holds a certificate,
authorization or permit. The State Police Bureau of Identification shall
conduct a state criminal history records check in accordance with
section 29-17a of the general statutes against such database and shall
notify the State Board of Education of any such person who has a
criminal conviction. The State Board of Education may revoke the
certificate, authorization or permit of such person in accordance with
the provisions of subsection (i) of section 10-145b of the general
statutes.

(c) The State Board of Education shall require each applicant seeking
an initial issuance or renewal of a certificate, authorization or permit
pursuant to sections 10-144o to 10-149, inclusive, of the general
statutes, to submit to a records check of the Department of Children
and Families child abuse and neglect registry established pursuant to
section 17a-101k of the general statutes. If notification is received that
the applicant is listed as a perpetrator of abuse or neglect on the
Department of Children and Families child abuse and neglect registry,
the board shall deny an application for the certificate, authorization or
permit in accordance with the provisions of subsection (i) of section 10-
145b of the general statutes, or may revoke the certificate,authorization or permit in accordance with the provisions of said
subsection (i).

Sec. 6. (Effective from passage) Not later than January 1, 2020, the
Department of Education shall conduct a study concerning the
authorization of towns and cooperative arrangements pursuant to
section 10-158a of the general statutes to be considered a local
education agency for purposes of regional cooperation and in order to
maximize efficiencies and cost-savings without establishing a regional
school district. The department shall submit a report on its findings
and any recommendations for legislation to the joint standing
committee of the General Assembly having cognizance of matters
relating to education, in accordance with the provisions of section 11-
4a of the general statutes.

Sec. 7. (Effective from passage) Not later than January 1, 2020, the
Department of Education shall update the comprehensive school
health education component of the Healthy and Balanced Living
Curriculum Framework developed by the department in 2006 to
include sexual harassment and assault, adolescent relationship abuse
and intimate partner violence, and human trafficking and commercial
sexual exploitation.

<p>| This act shall take effect as follows and shall amend the following sections: |
|-----------------|-----------------|-----------------|
| Section 1       | July 1, 2019    | 10-221d         |
| Sec. 2          | July 1, 2019    | New section     |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 3</td>
<td>July 1, 2019</td>
<td>New section</td>
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<tr>
<td>Sec. 4</td>
<td>July 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 5</td>
<td>July 1, 2019</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 6</td>
<td>from passage</td>
<td>New section</td>
</tr>
<tr>
<td>Sec. 7</td>
<td>from passage</td>
<td>New section</td>
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**ED** Joint Favorable Subst.