AN ACT CONCERNING NOTIFICATION OF ABUSE AND NEGLECT COMPLAINTS AND INVESTIGATIONS PERTAINING TO SCHOOL EMPLOYEES AND CONTRACTORS.

SUMMARY

This bill expands 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 or neglect complaint. It adds this requirement to existing notification requirements regarding:

1. initial reports to DCF of child abuse or neglect,

2. the start of a DCF abuse or neglect investigation, and

3. investigation results.

Under the bill, school authorities may notify the contractor who employs the subject of the initial complaint when a report has been made. If the employee provides written authorization, school authorities may also provide the contractor with the investigation results.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2019

§ 1 – INITIAL REPORT OF CHILD ABUSE OR NEGLECT

Current law requires DCF, when it receives a report of alleged abuse or neglect by the staff member of a public or private school or child care facility, to 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 abuse or neglect 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, as under current law, 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 public or 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, unless the person in charge is the alleged perpetrator. In the case of a public school, the bill requires DCF to also notify the superintendent of the board of education that contracts with the individual’s employer, as it must currently do when the individual is employed by the school.

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

Starting July 1, 2020, if DCF begins a child abuse or neglect investigation, the bill requires the department 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, private school governing authority, or public or private child care institution or facility.

Under the bill, DCF must notify the following employers about an
investigation of an alleged perpetrator:

1. for a board of education, the superintendent, or

2. for a private school, the person in charge.

If the alleged perpetrator’s employer is a contractor with a board of education, a private school’s governing authority, or a public or private child care institution or facility, DCF must notify the following employers about the investigation of such perpetrator:

1. for a board of education, the superintendent, or

2. for a private school or child care facility, the person in charge.

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 — INVESTIGATION RESULTS

By law, within five working days after completing an investigation of alleged child abuse or neglect by a school employee, the DCF commissioner must notify the employing superintendent and the education commissioner of the results and provide them with any investigation records. The bill specifies that the records include only those allowable by law.

Under the bill, the DCF commissioner must also notify and provide investigation records to:

1. the superintendent of the board of education that contracts with the alleged perpetrator’s employer or

2. the person in charge of the private school or child care facility who employs the alleged perpetrator or who contracts with his or her employer.

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

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute
Yea  14    Nay  0    (03/07/2019)