OLR Bill Analysis
sSB 891

AN ACT CONCERNING THE FAILURE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT.

SUMMARY

This bill makes several changes to the statutes related to the failure to report suspected child abuse and neglect.

The bill conforms to existing Department of Children and Families (DCF) policy by expanding the law’s requirements for investigation of delayed reporting and failures to report. Current law requires DCF to:

1. investigate when it suspects that a mandated reporter employed by a school board failed to make a report within the required time frame and

2. develop a policy for investigating delayed reports by all mandated reporters.

Consistent with current DCF policy, the bill specifically requires DCF to (1) investigate when it suspects that any mandated reporter has failed to make a report within the required time frame and (2) make a record of the delay and maintain a database of such records. Current law only includes school employees in these provisions.

For investigations of a school employee’s failure to report, the bill requires DCF to report its findings and documentation of any related concerns to the school board, superintendent, and Department of Education.

Under current law, DCF’s policy must include (1) when to refer cases of delayed reporting to the appropriate law enforcement agency and (2) when to require mandated reporters who delayed making a report to participate in an educational and training program. The bill
(1) expands these provisions to cover failure to report, not just delayed reporting (consistent with current policy), and (2) requires the policy to address when referrals to the Chief State’s Attorney, rather than law enforcement, are necessary. The bill correspondingly eliminates the requirement for the DCF commissioner, or her designee, to promptly notify the Chief State’s Attorney when there is a reason to believe that a mandated reporter has failed to report as required.

Finally, the bill makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2019

BACKGROUND

Mandatory Reporting of Suspected Child Abuse or Neglect

By law, people in certain professions and occupations who have contact with children or whose primary focus is children (such as school employees and various health professionals) must report suspected child abuse or neglect. A mandated reporter is required to make such a report when, in the ordinary course of their employment or profession, they have reasonable cause to believe or suspect that a child under age 18 has been abused, neglected, or placed at imminent risk of serious harm. Additionally, school employees must report when they suspect that another school employee has sexually assaulted a student, including a student over age 18 who is not enrolled in adult education.

A mandated reporter who fails to report within certain specified timeframes may be subject to criminal penalties.

Related Bills

sSB 929, reported favorably by the Children’s Committee, adds certain individuals to the statutory list of mandated reporters and modifies, from 45 calendar days to 33 business days, the time DCF has to complete a child abuse or neglect investigation.

sHB 6998, reported favorably by the Children’s Committee, expands existing 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.

**COMMITTEE ACTION**

Committee on Children

Joint Favorable Substitute

Yea 14  Nay 0  (03/07/2019)