



General Assembly

Amendment

January Session, 2019

LCO No. 7436



Offered by:

SEN. FASANO, 34th Dist.
SEN. WITKOS, 8th Dist.
SEN. BERTHEL, 32nd Dist.
SEN. SAMPSON, 16th Dist.

To: Subst. Senate Bill No. 1069

File No. 642

Cal. No. 303

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 10-222c of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2019*):

6 (a) No local or regional board of education, governing council of a
7 state or local charter school, interdistrict magnet school operator or
8 supervisory agent of a nonpublic school shall offer employment to an
9 applicant for a position, including any position which is contracted for,
10 if such applicant would have direct student contact, prior to such
11 board, council, operator or supervisory agent:

12 (1) Requiring of such applicant:

13 (A) To list the name, address and telephone number of each current
14 or former employer of the applicant, if such current or former
15 employer was a local or regional board of education, council, operator
16 or supervisory agent or if such employment otherwise caused the
17 applicant to have contact with children;

18 (B) A written authorization that (i) consents to and authorizes
19 disclosure by the employers listed under subparagraph (A) of this
20 subdivision of the information requested under subdivision (2) of this
21 subsection and the release of related records by such employers, (ii)
22 consents to and authorizes disclosure by the Department of Education
23 of the information requested under subdivision (3) of this subsection
24 and the release of related records by the department, and (iii) releases
25 those employers and the department from liability that may arise from
26 such disclosure or release of records pursuant to subdivision (2) or (3)
27 of this subsection; and

28 (C) A written statement of whether the applicant (i) has been the
29 subject of an abuse or neglect or sexual misconduct investigation by
30 any employer, state agency or municipal police department, unless the
31 investigation resulted in a finding that all allegations were
32 unsubstantiated, (ii) has ever been disciplined or asked to resign from
33 employment or resigned from or otherwise separated from any
34 employment while an allegation of abuse or neglect was pending or
35 under investigation by the Department of Children and Families, or an
36 allegation of sexual misconduct was pending or under investigation or
37 due to an allegation substantiated pursuant to section 17a-101g of
38 abuse or neglect, or of sexual misconduct or a conviction for abuse or
39 neglect or sexual misconduct, [or] (iii) has ever had a professional or
40 occupational license or certificate suspended or revoked or has ever
41 surrendered such a license or certificate while an allegation of abuse or
42 neglect was pending or under investigation by the department or an
43 investigation of sexual misconduct was pending or under
44 investigation, or due to an allegation substantiated by the department
45 of abuse or neglect or of sexual misconduct or a conviction for abuse or
46 neglect or sexual misconduct, or (iv) has entered into a nondisclosure

47 agreement or a confidentiality agreement as part of a settlement for a
48 claim of sexual harassment or sexual assault against such applicant;

49 (2) Conducting a review of the employment history of the applicant
50 by contacting those employers listed by the applicant under
51 subdivision (1) of this subsection. Such review shall be conducted
52 using a form developed by the Department of Education in accordance
53 with section 3 of public act 16-67* that shall request (A) the dates of
54 employment of the applicant, and (B) a statement as to whether the
55 employer has knowledge that the applicant (i) was the subject of an
56 allegation of abuse or neglect or sexual misconduct for which there is
57 an investigation pending with any employer, state agency or
58 municipal police department or which has been substantiated; (ii) was
59 disciplined or asked to resign from employment or resigned from or
60 otherwise separated from any employment while an allegation of
61 abuse or neglect or sexual misconduct was pending or under
62 investigation, or due to a substantiation of abuse or neglect or sexual
63 misconduct; or (iii) has ever had a professional or occupational license,
64 certificate, authorization or permit suspended or revoked or has ever
65 surrendered such a license, certificate, authorization or permit while
66 an allegation of abuse or neglect or sexual misconduct was pending or
67 under investigation, or due to a substantiation of abuse or neglect or
68 sexual misconduct. Such review may be conducted telephonically or
69 through written communication. Notwithstanding the provisions of
70 subsection (g) of section 31-51i, not later than five business days after
71 any such current or former employer of the applicant receives a
72 request for such information, such employer shall respond with such
73 information. A local or regional board of education, council, operator
74 or supervisory agent may request more information concerning any
75 response made by a current or former employer, and, notwithstanding
76 the provisions of said subsection (g), such employer shall respond not
77 later than five business days after receiving such request; and

78 (3) Requesting information from the Department of Education
79 concerning (A) the eligibility status for employment of any applicant
80 for a position requiring a certificate, authorization or permit issued

81 pursuant to chapter 166, (B) whether the department has knowledge
82 that a finding has been substantiated by the Department of Children
83 and Families pursuant to section 17a-101g of abuse or neglect or of
84 sexual misconduct against the applicant and any information
85 concerning such a finding, and (C) whether the department has
86 received notification that the applicant has been convicted of a crime
87 or of criminal charges pending against the applicant and any
88 information concerning such charges."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2019	10-222c(a)