



General Assembly

**Amendment**

January Session, 2019

LCO No. 7751



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.  
SEN. WITKOS, 8<sup>th</sup> Dist.  
SEN. BERTHEL, 32<sup>nd</sup> Dist.  
SEN. SAMPSON, 16<sup>th</sup> 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4 repealed and the following is substituted in lieu thereof (*Effective July*  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 provided any such written statement concerning such nondisclosure  
50 agreement or confidentiality agreement shall not be deemed a  
51 violation of such nondisclosure agreement or confidentiality  
52 agreement and any provision contained in such nondisclosure  
53 agreement or confidentiality agreement to the contrary is against  
54 public policy and void;

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

81 response made by a current or former employer, and, notwithstanding  
82 the provisions of said subsection (g), such employer shall respond not  
83 later than five business days after receiving such request; and

84 (3) Requesting information from the Department of Education  
85 concerning (A) the eligibility status for employment of any applicant  
86 for a position requiring a certificate, authorization or permit issued  
87 pursuant to chapter 166, (B) whether the department has knowledge  
88 that a finding has been substantiated by the Department of Children  
89 and Families pursuant to section 17a-101g of abuse or neglect or of  
90 sexual misconduct against the applicant and any information  
91 concerning such a finding, and (C) whether the department has  
92 received notification that the applicant has been convicted of a crime  
93 or of criminal charges pending against the applicant and any  
94 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)