



General Assembly

February Session, 2022

Raised Bill No. 5243

LCO No. 1266



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

AN ACT CONCERNING ADULT SEXUAL MISCONDUCT.

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

1 Section 1. (NEW) (*Effective July 1, 2022*) (a) For the school year
2 commencing July 1, 2022, and biennially thereafter, the Department of
3 Public Health shall administer the Connecticut School Health Survey to
4 students in grades nine to twelve, inclusive, provided the department
5 receives funding from the federal Centers for Disease Control and
6 Prevention for such purpose. The survey shall be based on the Youth
7 Risk Behavior Survey developed by the federal Centers for Disease
8 Control and Prevention. The department shall provide guidelines to the
9 local or regional board of education regarding the administration of the
10 survey to those high schools selected at random by the federal Centers
11 for Disease Control and Prevention. Such local or regional board of
12 education shall administer the survey to each high school selected to
13 participate in the survey in accordance with the guidelines provided by
14 the department, including, but not be limited to, (1) the survey protocol
15 as required by the federal Centers for Disease Control and Prevention,
16 (2) the requirement to provide parents the opportunity to exclude their
17 children from the survey by denying permission in writing, on a form

18 prescribed by the department, (3) the requirement for the survey to be
19 anonymous and administered in a manner designed to protect student
20 privacy, (4) the timeframe for completion of the survey, and (5) the
21 process by which the results of such survey are to be submitted to the
22 department.

23 (b) The department, in consultation with the Department of Mental
24 Health and Addiction Services, the Office of Early Childhood, the
25 Department of Children and Families, the Department of Education and
26 any other agency or public interest group the department deems
27 necessary, may develop additional survey questions to be included as
28 part of the Connecticut School Health Survey that are relevant to the
29 health concerns of high school students in the state.

30 Sec. 2. (NEW) (*Effective July 1, 2022*) Not later than October 1, 2022,
31 the Child Advocate, in consultation with the Department of Public
32 Health, shall develop and update, as necessary, questions designed to
33 assess the risk of youths becoming victims of sexual assault or
34 misconduct by an adult. Such questions shall be included as part of the
35 Connecticut School Health Survey administered pursuant to section 1 of
36 this act.

37 Sec. 3. (*Effective from passage*) Not later than January 1, 2023, the
38 Department of Education, in consultation with the Department of Public
39 Health, shall develop for use by a local or regional board of education
40 (1) a uniform policy concerning timely notification to the parents or
41 guardians of students in grades nine to twelve, inclusive, about the
42 Connecticut School Health Survey not later than twenty-one calendar
43 days prior to the date such board will be administering the survey at a
44 high school governed by such board, and (2) a form to be distributed to
45 parents or guardians for the purposes of the notification required
46 pursuant to subdivision (1) of this section that includes, but is not
47 limited to, (A) an explanation of the Connecticut School Health Survey
48 and how a parent or guardian may opt out of such survey being
49 administered to his or her child, and (B) the Internet link to the survey
50 that will be administered.

51 Sec. 4. (NEW) (*Effective July 1, 2022*) (a) For the school year
52 commencing July 1, 2022, and each school year thereafter, if the results
53 of the Connecticut School Health Survey, administered pursuant to
54 section 1 of this act, reveal that a student in the high school in which
55 such survey was administered has been the victim of a sexual assault or
56 misconduct by an adult, then the local or regional board of education
57 for such high school shall request the Department of Children and
58 Families and the Department of Education to provide or facilitate (1)
59 training for the teachers, administrators and other staff of such school
60 about how to support students who have experienced abuse, (2) the
61 provision of counseling services for students by working with school
62 social workers and administrators of such high school, (3) the
63 distribution of materials relating to counseling services created or
64 offered by victim advocates groups and other state agencies, and (4) the
65 bystander training program and appropriate interaction with children
66 training program, described in section 5 of this act, to all teachers,
67 administrators and other school staff of such high school.

68 Sec. 5. (NEW) (*Effective July 1, 2022*) (a) Not later than January 1, 2023,
69 the Department of Children and Families, in consultation with the
70 Department of Education, shall develop or adopt a bystander training
71 program and an appropriate interaction with children training
72 program.

73 (b) The department may enter into a memorandum of understanding
74 with each regional educational service center for the bystander training
75 program and appropriate interaction with children training program to
76 be provided at or by such center to the teachers, administrators and
77 other staff of the local and regional boards of education that are
78 members of such center.

79 (c) The department may enter into a memorandum of understanding
80 with the governing authority for intramural and interscholastic athletics
81 for the bystander training program and the appropriate interaction with
82 children training program to be provided by such governing authority
83 to coaches who holds or is issued a coaching permit by the State Board

84 of Education, in accordance with the provisions of section 6 of this act.

85 Sec. 6. (NEW) (*Effective July 1, 2022*) For the school year commencing
86 July 1, 2023, and each school year thereafter, any person who holds or is
87 issued a coaching permit by the State Board of Education and is a coach
88 of intramural or interscholastic athletics shall complete the bystander
89 training program and the appropriate interaction with children training,
90 described in section 5 of this act, prior to commencing the coaching
91 assignment for the season of such school athletics.

92 Sec. 7. Subdivision (1) of subsection (b) of section 17a-101a of the
93 general statutes is repealed and the following is substituted in lieu
94 thereof (*Effective July 1, 2022*):

95 (b) (1) Any person required to report under the provisions of this
96 section who fails to make such report or fails to make such report within
97 the time period prescribed in sections 17a-101b to 17a-101d, inclusive,
98 and section 17a-103 shall be guilty of a class A misdemeanor, except that
99 such person shall be guilty of a class E felony if (A) such violation is a
100 subsequent violation, (B) such violation was wilful or intentional or due
101 to gross negligence, or (C) such person had actual knowledge that (i) a
102 child was abused or neglected, as described in section 46b-120, or (ii) a
103 person was a victim described in subdivision (2) of subsection (a) of this
104 section. Notwithstanding the provisions of section 54-193, no person
105 shall be prosecuted for a violation of the provisions of this section
106 committed on or after July 1, 2022, except within three years after such
107 violation has been committed.

108 Sec. 8. Subdivisions (1) and (2) of subsection (i) of section 10-145b of
109 the general statutes are repealed and the following is substituted in lieu
110 thereof (*Effective July 1, 2022*):

111 (i) (1) The State Board of Education may take one or more of the
112 following actions, in accordance with the provisions of subdivision (2)
113 of this subsection, against a person holding a certificate, permit or
114 authorization based on conduct that occurred prior or subsequent to the
115 issuance of such certificate, permit or authorization: (A) Revoke the

116 holder's certificate, permit or authorization; (B) suspend the holder's
117 certificate, permit or authorization; or (C) place the holder's certificate
118 on probation, subject to conditions determined by the Commissioner of
119 Education.

120 (2) The State Board of Education may take any of the actions
121 described in subparagraphs (A) to (C), inclusive, of subdivision (1) of
122 this subsection with respect to a holder's certificate, permit or
123 authorization issued pursuant to sections 10-144o to 10-149, inclusive,
124 for any of the following reasons: (A) The holder of the certificate, permit
125 or authorization obtained such certificate, permit or authorization
126 through fraud or misrepresentation of a material fact; (B) the holder has
127 persistently neglected to perform the duties for which the certificate,
128 permit or authorization was granted; (C) the holder is professionally
129 unfit to perform the duties for which the certificate, permit or
130 authorization was granted; (D) the holder is convicted in a court of law
131 of a crime involving moral turpitude or of any other crime of such
132 nature that in the opinion of the board continued holding of a certificate,
133 permit or authorization by the person would impair the standing of
134 certificates, permits or authorizations issued by the board; (E) the holder
135 has had an allegation of abuse or neglect substantiated pursuant to
136 section 17a-101g; or [(E)] (F) other due and sufficient cause. The State
137 Board of Education may revoke any certificate, permit or authorization
138 issued pursuant to said sections if the holder is found to have
139 intentionally disclosed specific questions or answers to students or
140 otherwise improperly breached the security of any administration of a
141 mastery examination, pursuant to section 10-14n. In any revocation
142 proceeding pursuant to this section, the State Board of Education shall
143 have the burden of establishing the reason for such revocation by a
144 preponderance of the evidence. Revocation shall be in accordance with
145 procedures established by the State Board of Education pursuant to
146 chapter 54.

147 Sec. 9. (NEW) (*Effective July 1, 2022*) The Department of Children and
148 Families, in collaboration with the Department of Education and the
149 Department of Emergency Services and Public Protection, shall develop

150 or adopt an investigative training program and a victim sensitivity
151 training program for school social workers and school administrators.
152 The department shall make such training programs available to local
153 and regional boards of education. Such training programs may be
154 included as part of a local or regional board of education's in-service
155 training program, pursuant to section 10-220a of the general statutes.

156 Sec. 10. (NEW) (*Effective July 1, 2022*) The Department of Children and
157 Families, in consultation with the Department of Education and the
158 Office of Early Childhood, shall develop a protocol and checklist for
159 investigations conducted by a local or regional board of education or a
160 provider of child care services, as described in section 19a-77 of the
161 general statutes, as a result of an allegation that a child has been abused
162 or neglected by a school employee, as defined in section 53a-65 of the
163 general statutes, or an employee of such provider of child care services.

164 Sec. 11. Subsection (a) of section 10-220 of the 2022 supplement to the
165 general statutes is repealed and the following is substituted in lieu
166 thereof (*Effective July 1, 2022*):

167 (a) Each local or regional board of education shall maintain good
168 public elementary and secondary schools, implement the educational
169 interests of the state, as defined in section 10-4a, and provide such other
170 educational activities as in its judgment will best serve the interests of
171 the school district; provided any board of education may secure such
172 opportunities in another school district in accordance with provisions of
173 the general statutes and shall give all the children of the school district,
174 including children receiving alternative education, as defined in section
175 10-74j, as nearly equal advantages as may be practicable; shall provide
176 an appropriate learning environment for all its students which includes
177 (1) adequate instructional books, supplies, materials, equipment,
178 staffing, facilities and technology, (2) equitable allocation of resources
179 among its schools, (3) proper maintenance of facilities, and (4) a safe
180 school setting; shall, upon receipt of an allegation that a child has been
181 abused or neglected by a school employee, as defined in section 53a-65,
182 conduct an investigation in accordance with the protocol and checklist

183 developed pursuant to section 10 of this act, and, in accordance with the
184 provisions of subsection (f) of this section, maintain records of
185 allegations, investigations and reports that a child has been abused or
186 neglected by a school employee, as defined in section 53a-65, employed
187 by the local or regional board of education; shall have charge of the
188 schools of its respective school district; shall make a continuing study of
189 the need for school facilities and of a long-term school building program
190 and from time to time make recommendations based on such study to
191 the town; shall adopt and implement an indoor air quality program that
192 provides for ongoing maintenance and facility reviews necessary for the
193 maintenance and improvement of the indoor air quality of its facilities;
194 shall adopt and implement a green cleaning program, pursuant to
195 section 10-231g, that provides for the procurement and use of
196 environmentally preferable cleaning products in school buildings and
197 facilities; on and after July 1, 2021, and every five years thereafter, shall
198 report to the Commissioner of Administrative Services on the condition
199 of its facilities and the action taken to implement its long-term school
200 building program, indoor air quality program and green cleaning
201 program, which report the Commissioner of Administrative Services
202 shall use to prepare a report every five years that said commissioner
203 shall submit in accordance with section 11-4a to the joint standing
204 committee of the General Assembly having cognizance of matters
205 relating to education; shall advise the Commissioner of Administrative
206 Services of the relationship between any individual school building
207 project pursuant to chapter 173 and such long-term school building
208 program; shall have the care, maintenance and operation of buildings,
209 lands, apparatus and other property used for school purposes and at all
210 times shall insure all such buildings and all capital equipment contained
211 therein against loss in an amount not less than eighty per cent of
212 replacement cost; shall determine the number, age and qualifications of
213 the pupils to be admitted into each school; shall develop and implement
214 a written plan for minority educator recruitment for purposes of
215 subdivision (3) of section 10-4a; shall employ and dismiss the teachers
216 of the schools of such district subject to the provisions of sections 10-151
217 and 10-158a; shall designate the schools which shall be attended by the

218 various children within the school district; shall make such provisions
219 as will enable each child of school age residing in the district to attend
220 some public day school for the period required by law and provide for
221 the transportation of children wherever transportation is reasonable and
222 desirable, and for such purpose may make contracts covering periods of
223 not more than five years; may provide alternative education, in
224 accordance with the provisions of section 10-74j, or place in another
225 suitable educational program a pupil enrolling in school who is nineteen
226 years of age or older and cannot acquire a sufficient number of credits
227 for graduation by age twenty-one; may arrange with the board of
228 education of an adjacent town for the instruction therein of such
229 children as can attend school in such adjacent town more conveniently;
230 shall cause each child five years of age and over and under eighteen
231 years of age who is not a high school graduate and is living in the school
232 district to attend school in accordance with the provisions of section 10-
233 184, and shall perform all acts required of it by the town or necessary to
234 carry into effect the powers and duties imposed by law.

235 Sec. 12. (NEW) (*Effective July 1, 2022*) Any provider of child care
236 services, as described in section 19a-77 of the general statutes, that
237 conducts an investigation as a result of an allegation that a child has
238 been abused or neglected by an employee of such provider, shall
239 conduct such investigation in accordance with the protocol and
240 checklist developed pursuant to section 10 of this act.

241 Sec. 13. (NEW) (*Effective July 1, 2022*) The Department of Education
242 and the Office of Early Childhood, shall jointly develop a checklist to be
243 used by local and regional boards of education and providers of child
244 care services, as described in section 19a-77 of the general statutes,
245 during the hiring process for the purpose of screening applicants and
246 prospective employees.

247 Sec. 14. (NEW) (*Effective July 1, 2022*) The Department of Children and
248 Families shall make available, upon request of a youth-serving
249 organization or religious organization, any materials relating to the
250 bystander training program and the appropriate interaction with

251 children training program described in section 5 of this act or the
 252 investigative training program and the victim sensitivity training
 253 program described in section 9 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	New section
Sec. 2	<i>July 1, 2022</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2022</i>	New section
Sec. 5	<i>July 1, 2022</i>	New section
Sec. 6	<i>July 1, 2022</i>	New section
Sec. 7	<i>July 1, 2022</i>	17a-101a(b)(1)
Sec. 8	<i>July 1, 2022</i>	10-145b(i)(1) and (2)
Sec. 9	<i>July 1, 2022</i>	New section
Sec. 10	<i>July 1, 2022</i>	New section
Sec. 11	<i>July 1, 2022</i>	10-220(a)
Sec. 12	<i>July 1, 2022</i>	New section
Sec. 13	<i>July 1, 2022</i>	New section
Sec. 14	<i>July 1, 2022</i>	New section

Statement of Purpose:

To require the Department of Public Health to administer the Connecticut School Health Survey to students in high schools; to require school personnel to complete training when a student in the school has been the victim of abuse by an adult; to require the Department of Children and Families to develop or adopt bystander training, appropriate interaction with children training, investigative training and victim sensitivity training programs; to extend the statute of limitations for failure to report as a mandated reporter from one year to three years; to authorize the Department of Education to suspend an educator's teaching license if an allegation of abuse or neglect has been substantiated; to require school districts and child care providers to conduct investigations of allegations of abuse or neglect in accordance with a checklist developed by the Department of Children and Families; to require the Department of Education and the Office of Early Childhood to develop a screening checklist for the hiring of prospective employees; and to make such training programs available to youth-serving and religious organizations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]