



General Assembly

Amendment

February Session, 2022

LCO No. 4630



Offered by:

REP. LINEHAN, 103rd Dist.
SEN. ANWAR, 3rd Dist.
REP. WELANDER, 114th Dist.
REP. BOLINSKY, 106th Dist.

To: Subst. House Bill No. 5243

File No. 274

Cal. No. 206

**"AN ACT CONCERNING THE IDENTIFICATION AND PREVENTION
OF AND RESPONSE TO ADULT SEXUAL MISCONDUCT AGAINST
CHILDREN."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2022*) (a) For the school year
4 commencing July 1, 2022, and biennially thereafter, the Department of
5 Public Health shall administer the Connecticut School Health Survey to
6 students in grades nine to twelve, inclusive, provided the department
7 receives funding from the federal Centers for Disease Control and
8 Prevention for such purpose. The survey shall be based on the Youth
9 Risk Behavior Survey developed by the federal Centers for Disease
10 Control and Prevention. The department shall provide guidelines to the
11 local or regional board of education regarding the administration of the
12 survey to those high schools selected at random by the federal Centers

13 for Disease Control and Prevention. Such local or regional board of
14 education shall administer the survey to each high school selected to
15 participate in the survey in accordance with the guidelines provided by
16 the department, including, but not limited to, (1) the survey protocol as
17 required by the federal Centers for Disease Control and Prevention, (2)
18 the requirement to provide parents the opportunity to exclude their
19 children from the survey by denying permission in writing, on a form
20 prescribed by the department, (3) the requirement for the survey to be
21 anonymous and administered in a manner designed to protect student
22 privacy, (4) the timeframe for completion of the survey, and (5) the
23 process by which the results of such survey are to be submitted to the
24 department.

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

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

39 Sec. 3. (NEW) (*Effective from passage*) Not later than January 1, 2023,
40 the Department of Education, in consultation with the Department of
41 Public Health, shall develop for use by a local or regional board of
42 education (1) a uniform policy concerning timely notification to the
43 parents or guardians of students in grades nine to twelve, inclusive,
44 about the Connecticut School Health Survey not later than twenty-one
45 calendar days prior to the date such board will be administering the

46 survey at a high school governed by such board, and (2) a form to be
47 distributed to parents or guardians for the purposes of the notification
48 required pursuant to subdivision (1) of this section that includes, but is
49 not limited to, (A) an explanation of the Connecticut School Health
50 Survey and how a parent or guardian may opt out of such survey being
51 administered to his or her child, and (B) the Internet link to the survey
52 that will be administered.

53 Sec. 4. Section 17a-101 of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective October 1, 2022*):

55 (a) The public policy of this state is: To protect children whose health
56 and welfare may be adversely affected through injury and neglect; to
57 strengthen the family and to make the home safe for children by
58 enhancing the parental capacity for good child care; to provide a
59 temporary or permanent nurturing and safe environment for children
60 when necessary; and for these purposes to require the reporting of
61 suspected child abuse or neglect, investigation of such reports by a
62 social agency, and provision of services, where needed, to such child
63 and family.

64 (b) The following persons shall be mandated reporters: (1) Any
65 physician or surgeon licensed under the provisions of chapter 370, (2)
66 any resident physician or intern in any hospital in this state, whether or
67 not so licensed, (3) any registered nurse, (4) any licensed practical nurse,
68 (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8)
69 any psychologist, (9) any school employee, as defined in section 53a-65,
70 (10) any social worker, (11) any person who holds or is issued a coaching
71 permit by the State Board of Education, is a coach of intramural or
72 interscholastic athletics and is eighteen years of age or older, (12) any
73 individual who is employed as a coach or director of youth athletics and
74 is eighteen years of age or older, (13) any individual who is employed
75 as a coach or director of a private youth sports organization, league or
76 team and is eighteen years of age or older, (14) any paid administrator,
77 faculty, staff, athletic director, athletic coach or athletic trainer employed
78 by a public or private institution of higher education who is eighteen

79 years of age or older, excluding student employees, (15) any police
80 officer, (16) any juvenile or adult probation officer, (17) any juvenile or
81 adult parole officer, (18) any member of the clergy, (19) any pharmacist,
82 (20) any physical therapist, (21) any optometrist, (22) any chiropractor,
83 (23) any podiatrist, (24) any mental health professional, (25) any
84 physician assistant, (26) any person who is a licensed or certified
85 emergency medical services provider, (27) any person who is a licensed
86 or certified alcohol and drug counselor, (28) any person who is a
87 licensed marital and family therapist, (29) any person who is a sexual
88 assault counselor or a domestic violence counselor, as defined in section
89 52-146k, (30) any person who is a licensed professional counselor, (31)
90 any person who is a licensed foster parent, (32) any person paid to care
91 for a child in any public or private facility, child care center, group child
92 care home or family child care home licensed by the state, (33) any
93 employee of the Department of Children and Families or any person
94 who, in the performance of such person's duties, has regular contact
95 with and provides services to or on behalf of children pursuant to a
96 contract with or credential issued by the Department of Children and
97 Families, (34) any employee of the Office of Early Childhood who is
98 responsible for the licensing of child care centers, group child care
99 homes, family child care homes or youth camps, (35) any paid youth
100 camp director, [or] assistant director and staff member who is twenty-
101 one years of age or older, (36) the Child Advocate and any employee of
102 the Office of the Child Advocate, (37) any person who is a licensed
103 behavior analyst, (38) any family relations counselor, family relations
104 counselor trainee or family services supervisor employed by the Judicial
105 Department, (39) any victim services advocate employed by the Office
106 of Victim Services within the Judicial Department, (40) any employee of
107 a juvenile justice program operated by or pursuant to a contract with the
108 Court Support Services Division of the Judicial Department, and (41)
109 any person employed, including any person employed under contract
110 and any independent ombudsperson, to work at a juvenile detention
111 facility or any other facility where children under eighteen years of age
112 are detained and who has direct contact with children as part of such
113 employment.

114 (c) The Commissioner of Children and Families shall develop an
115 educational training program and refresher training program for the
116 accurate and prompt identification and reporting of child abuse and
117 neglect. Such training program and refresher training program shall be
118 made available to all persons mandated to report child abuse and
119 neglect at various times and locations throughout the state as
120 determined by the Commissioner of Children and Families. Such
121 training program and refresher training program shall be provided in
122 accordance with the provisions of subsection (g) of section 17a-101i, as
123 amended by this act, to each school employee, as defined in section 53a-
124 65, within available appropriations.

125 (d) [On or before October 1, 2011, the] The Department of Children
126 and Families, in consultation with the Department of Education, shall
127 develop a model mandated reporting policy for use by local and
128 regional boards of education. Such policy shall state applicable state law
129 regarding mandated reporting and any relevant information that may
130 assist school districts in the performance of mandated reporting. Such
131 policy shall include, but not be limited to, the following information: (1)
132 Those persons employed by the local or regional board of education
133 who are required pursuant to this section to be mandated reporters, (2)
134 the type of information that is to be reported, (3) the time frame for both
135 written and verbal mandated reports, (4) a statement that the school
136 district may conduct its own investigation into an allegation of abuse or
137 neglect by a school employee, provided such investigation does not
138 impede an investigation by the Department of Children and Families,
139 and (5) a statement that retaliation against mandated reporters is
140 prohibited. Such policy shall be updated and revised as necessary.

141 Sec. 5. Subsections (f) and (g) of section 17a-101i of the general
142 statutes are repealed and the following is substituted in lieu thereof
143 (*Effective July 1, 2022*):

144 (f) (1) On or before February 1, 2016, each local and regional board of
145 education shall adopt a written policy, in accordance with the
146 provisions of subsection (d) of section 17a-101, as amended by this act,

147 regarding the reporting by school employees, as defined in section 53a-
148 65, of suspected child abuse or neglect in accordance with sections 17a-
149 101a to 17a-101d, inclusive, and 17a-103 or a violation of section 53-70,
150 53a-70a, 53a-71, 53a-72a, 53a-72b or 53a-73a against a victim, as
151 described in subdivision (2) of subsection (a) of section 17a-101a. Such
152 policy shall annually be distributed [~~annually~~] electronically to all
153 school employees employed by the local or regional board of education.
154 The local or regional board of education shall document that all such
155 school employees have received such written policy and completed the
156 training and refresher training programs required by subsection (c) of
157 section 17a-101, as amended by this act.

158 (2) For the school year commencing July 1, 2022, and each school year
159 thereafter, each local and regional board of education shall distribute
160 electronically to all school employees, as defined in section 53a-65, the
161 members of the board of education and the parents and guardians of
162 students enrolled in the schools under the jurisdiction of the board, a
163 copy of the guidelines regarding identifying and reporting child sexual
164 abuse, developed pursuant to section 17a-101r.

165 (3) For the school year commencing July 1, 2023, and each school year
166 thereafter, each local and regional board of education shall distribute
167 electronically to all school employees, as defined in section 53a-65, the
168 members of the board of education and the parents and guardians of
169 students enrolled in the schools under the jurisdiction of the board,
170 information regarding the sexual abuse and assault awareness and
171 prevention program identified or developed pursuant to section 17a-
172 101q, as amended by this act.

173 (g) (1) Each school employee, as defined in section 53a-65, hired by a
174 local or regional board of education on or after July 1, 2011, shall be
175 required to complete the training program developed pursuant to
176 subsection (c) of section 17a-101, as amended by this act. Each such
177 school employee shall complete the refresher training program,
178 developed pursuant to subsection (c) of section 17a-101, as amended by
179 this act, not later than three years after completion of the initial training

180 program, and shall thereafter retake such refresher training course at
181 least once every three years.

182 (2) On or before July 1, 2012, each school employee, as defined in
183 section 53a-65, hired by a local or regional board of education before
184 July 1, 2011, shall complete the refresher training program developed
185 pursuant to subsection (c) of section 17a-101, as amended by this act,
186 and shall thereafter retake such refresher training course at least once
187 every three years.

188 (3) On and after July 1, 2023, each school employee, as defined in
189 section 53a-65, employed by a local or regional board of education shall
190 complete the (A) training regarding the prevention and identification of,
191 and response to, child sexual abuse and assault, (B) bystander training
192 program, and (C) appropriate interaction with children training
193 program, in accordance with the provisions of section 17a-101q, as
194 amended by this act. Each such employee shall repeat such training at
195 least once every three years.

196 ~~[(3)]~~ (4) The principal for each school under the jurisdiction of a local
197 or regional board of education shall annually certify to the
198 superintendent for the board of education that each school employee, as
199 defined in section 53a-65, working at such school, is in compliance with
200 the provisions of this subsection. The superintendent shall certify such
201 compliance to the State Board of Education.

202 Sec. 6. Section 17a-101q of the general statutes is repealed and the
203 following is substituted in lieu thereof (*Effective July 1, 2022*):

204 (a) Not later than July 1, [2016] 2023, the Department of Children and
205 Families, in collaboration with the Department of Education and
206 Connecticut Alliance to End Sexual Violence, or a similar entity, shall
207 identify or develop a state-wide sexual abuse and assault awareness and
208 prevention program for use by local and regional boards of education.
209 Such program shall be implemented in each local and regional school
210 district and shall include:

211 (1) For [teachers] school employees, as defined in section 53a-65,
212 instructional modules that may include, but not be limited to, (A)
213 training regarding the prevention and identification of, and response to,
214 child sexual abuse and assault, [and] (B) resources to further student,
215 teacher and parental awareness regarding child sexual abuse and
216 assault and the prevention of such abuse and assault, (C) bystander
217 training program, and (D) appropriate interaction with children
218 training program;

219 (2) For students, age-appropriate educational materials designed for
220 children in grades kindergarten to twelve, inclusive, regarding child
221 sexual abuse and assault awareness and prevention that may include,
222 but not be limited to, (A) the skills to recognize (i) child sexual abuse
223 and assault, (ii) boundary violations and unwanted forms of touching
224 and contact, and (iii) ways offenders groom or desensitize victims, and
225 (B) strategies to (i) promote disclosure, (ii) reduce self-blame, and (iii)
226 mobilize bystanders; and

227 (3) A uniform child sexual abuse and assault response policy and
228 reporting procedure that may include, but not be limited to, (A) actions
229 that child victims of sexual abuse and assault may take to obtain
230 assistance, (B) intervention and counseling options for child victims of
231 sexual abuse and assault, (C) access to educational resources to enable
232 child victims of sexual abuse and assault to succeed in school, and (D)
233 uniform procedures for reporting instances of child sexual abuse and
234 assault to school staff members.

235 (b) [Not later than October 1, 2016] For the school year commencing
236 July 1, 2023, and each school year thereafter, each local and regional
237 board of education shall implement the sexual abuse and assault
238 awareness and prevention program identified or developed pursuant to
239 subsection (a) of this section.

240 (c) No student in grades kindergarten to twelve, inclusive, shall be
241 required by any local or regional board of education to participate in the
242 sexual abuse and assault awareness and prevention program offered

243 within the public schools. A written notification to the local or regional
244 board of education by the student's parent or legal guardian shall be
245 sufficient to exempt the student from such program in its entirety or
246 from any portion thereof so specified by the parent or legal guardian.

247 (d) If a student is exempted from the sexual abuse and assault
248 awareness and prevention program pursuant to subsection (c) of this
249 section, the local or regional board of education shall provide, during
250 the period of time in which the student would otherwise be
251 participating in such program, an opportunity for other study or
252 academic work.

253 Sec. 7. (NEW) (*Effective July 1, 2022*) On and after July 1, 2023, the
254 Department of Children and Families shall make available, upon
255 request of a youth-serving organization or religious organization, any
256 materials relating to the training regarding the prevention and
257 identification of, and response to, child sexual abuse and assault,
258 bystander training program and the appropriate interaction with
259 children training program described in section 17a-101q, as amended by
260 this act.

261 Sec. 8. (*Effective from passage*) (a) There is established a task force to
262 study the sexual abuse and exploitation of children on the Internet or
263 facilitated by Internet users in the state during the period beginning
264 January 1, 2019, and ending December 31, 2021. Such study shall include
265 an examination of (1) the types and frequency of such abuse and
266 exploitation, (2) grooming tactics utilized by adults in order to engage
267 in such abuse and exploitation, and (3) any barriers that may prevent
268 the adequate or timely investigation or prosecution of such abuse and
269 exploitation.

270 (b) The task force shall consist of the following members:

271 (1) One appointed by the speaker of the House of Representatives,
272 who is a member of the Trafficking in Persons council established
273 pursuant to section 46a-170 of the general statutes;

274 (2) One appointed by the president pro tempore of the Senate, who
275 shall have expertise in the prosecution of child sexual abuse and
276 exploitation originating on the Internet;

277 (3) One appointed by the majority leader of the House of
278 Representatives, who is a representative of a non-profit organization
279 that raises awareness of online child sex abuse and exploitation;

280 (4) One appointed by the majority leader of the Senate, who shall
281 have expertise in data and behavioral trends concerning child sexual
282 abuse and exploitation;

283 (5) One appointed by the minority leader of the House of
284 Representatives, who is a representative of the Connecticut Police
285 Chiefs Association;

286 (6) One appointed by the minority leader of the Senate, who is a
287 representative of the Alliance to End Sexual Violence;

288 (7) The Commissioner of Children and Families, or the
289 commissioner's designee;

290 (8) The Commissioner of the Department of Emergency Services and
291 Public Protection, or the commissioner's designee; and

292 (9) The Chief State's Attorney, or the Chief State's Attorney's
293 designee.

294 (c) All initial appointments to the task force shall be made not later
295 than thirty days after the effective date of this section. Any vacancy shall
296 be filled by the appointing authority.

297 (d) The chairpersons of the joint standing committee of the General
298 Assembly having cognizance of matters relating to children shall select
299 the chairperson of the task force from among the members of the task
300 force. Such chairperson shall schedule the first meeting of the task force,
301 which shall be held not later than sixty days after the effective date of
302 this section.

303 (e) The administrative staff of the joint standing committee of the
304 General Assembly having cognizance of matters relating to children
305 shall serve as administrative staff of the task force.

306 (f) Not later than January 1, 2023, the task force shall submit a report
307 on its findings and recommendations to the joint standing committee of
308 the General Assembly having cognizance of matters relating to children,
309 in accordance with the provisions of section 11-4a of the general statutes.
310 The report shall include, but not be limited to, (1) the number of
311 allegations of such abuse and exploitation reported to law enforcement,
312 (2) the number of such reports that resulted in arrest and the number of
313 such reports that resulted in prosecution, and (3) to the extent the task
314 force can determine, the reasons why certain allegations were not
315 prosecuted. The report shall not contain personally identifying
316 information concerning victims of child sexual abuse or exploitation.
317 The task force shall terminate on the date that it submits such report or
318 January 1, 2023, whichever is later.

319 Sec. 9. Section 54-240 of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective July 1, 2022*):

321 As used in this chapter:

322 (1) "Address confidentiality program" or "program" means the
323 program established pursuant to this chapter;

324 (2) "Agency" has the same meaning as "public agency" or "agency", as
325 provided in section 1-200;

326 (3) "Application assistant" means a person authorized by the
327 Secretary of the State to assist applicants in the completion of
328 applications for program participation;

329 (4) "Authorized personnel" means an employee in the office of the
330 Secretary of the State who has been designated by the Secretary of the
331 State, or an employee of an agency who has been designated by the chief
332 executive officer of such agency, to process and have access to records

333 pertaining to a program participant, including, but not limited to, voter
334 registration applications, voting records and marriage records;

335 (5) "Certification card" means a card issued by the Secretary of the
336 State pursuant to section 54-240d;

337 (6) "Confidential address" means a program participant's address or
338 addresses as listed on such participant's application for program
339 participation that are not to be disclosed, including such participant's
340 residential address in this state and work and school addresses in this
341 state, if any;

342 (7) "Family violence" has the same meaning as provided in section
343 46b-38a;

344 (8) "Injury or risk of injury to a child" means any act or conduct that
345 constitutes a violation of section 53-21;

346 (9) "Kidnapping" means any act that constitutes a violation of section
347 53a-92, 53a-92a, 53a-94 or 53a-94a;

348 ~~[(9)]~~ (10) "Law enforcement agency" means the office of the Attorney
349 General, the office of the Chief State's Attorney, the Division of State
350 Police within the Department of Emergency Services and Public
351 Protection or any municipal police department;

352 ~~[(10)]~~ (11) "Marriage records" means an application for a marriage
353 license, an issued marriage license, a license certificate or other
354 documents related thereto;

355 ~~[(11)]~~ (12) "Program address" means the post office box number and
356 fictitious street address assigned to a program participant by the
357 Secretary of the State;

358 ~~[(12)]~~ (13) "Program participant" or "participant" means any person
359 certified by the Secretary of the State to participate in the address
360 confidentiality program;

361 [(13)] (14) "Record" has the same meaning as "public records or files"
362 as provided in section 1-200;

363 [(14)] (15) "Sexual assault" means any act that constitutes a violation
364 of section 53a-70b of the general statutes, revision of 1958, revised to
365 January 1, 2019, or section 53a-70, 53a-70a, 53a-71, 53a-72a, 53a-72b or
366 53a-73a; [and]

367 [(15)] (16) "Stalking" means any act that constitutes a violation of
368 section 53a-181c, 53a-181d or 53a-181e; and

369 (17) "Trafficking in persons" means any act that constitutes a violation
370 of section 53a-192a.

371 Sec. 10. Section 54-240a of the general statutes is repealed and the
372 following is substituted in lieu thereof (*Effective July 1, 2022*):

373 (a) There shall be an address confidentiality program established in
374 the office of the Secretary of the State to provide a substitute mailing
375 address for any person who wishes to keep such person's residential
376 address confidential because of safety concerns and (1) has been a victim
377 of (A) family violence, (B) injury or risk of injury to a child, (C)
378 kidnapping, (D) sexual assault, [or] (E) stalking, [and who wishes to
379 keep such person's residential address confidential because of safety
380 concerns] (F) trafficking in persons, or (G) child abuse or neglect, where
381 such abuse or neglect was substantiated by the Department of Children
382 and Families and was the basis for the issuance of a restraining order
383 under section 46b-15 or civil protection order under section 46b-16a, or
384 (2) a termination of parental rights was granted pursuant to section 45a-
385 717 or 46b-129.

386 (b) The Secretary of the State shall adopt regulations, in accordance
387 with the provisions of chapter 54, to carry out the provisions of this
388 chapter. Such regulations may include, but need not be limited to,
389 provisions for applications for participation in the address
390 confidentiality program, certification of program participants,
391 certification cancellation, agency use of program addresses, forwarding

392 of program participants' mail, voting by program participants and
393 recording of vital statistics for program participants.

394 Sec. 11. Section 54-240c of the general statutes is repealed and the
395 following is substituted in lieu thereof (*Effective July 1, 2022*):

396 The Secretary of the State shall certify an applicant or the person on
397 whose behalf an application is made as a program participant if the
398 application is filed in the manner and on the application form prescribed
399 by the Secretary of the State and includes:

400 (1) A statement made under penalty of false statement, as provided
401 in section 53a-157b, that [(A)] the applicant or the person on whose
402 behalf the application is made (A) is a victim of (i) family violence, (ii)
403 injury or risk of injury to a minor, (iii) kidnapping, (iv) sexual assault,
404 [or] (v) stalking, (vi) trafficking in persons, or (vii) child abuse or neglect,
405 where such abuse or neglect was substantiated by the Department of
406 Children and Families and was the basis for the issuance of a restraining
407 order under section 46b-15 or civil protection order under section 46b-
408 16a, or (B) a termination of parental rights was granted pursuant to
409 section 45a-717 or 46b-129, and [(B)] (C) the applicant fears for the
410 [applicant's safety, for the safety of the applicant's children, for the
411 safety of the person on whose behalf the application is made, or for the
412 safety of the children] safety of the applicant, children living in the
413 applicant's home, person on whose behalf the application is made or
414 children living in the home of the person on whose behalf the
415 application is made;

416 (2) Documentation supporting the statement made pursuant to
417 subdivision (1) of this section;

418 (3) A designation of the Secretary of the State as the agent of the
419 applicant or the person on whose behalf the application is made for
420 service of process and for receipt of first class mail;

421 (4) The residential address in this state, the work and school
422 addresses in this state, if any, and the phone number or numbers, if

423 available, that are to remain confidential, but which may be used by the
 424 Secretary of the State or authorized personnel to contact the applicant
 425 or the person on whose behalf the application is made; and

426 (5) The application preparation date, the applicant's signature and the
 427 signature of the application assistant who assisted the applicant in
 428 completing the application."

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>October 1, 2022</i>	17a-101
Sec. 5	<i>July 1, 2022</i>	17a-101i(f) and (g)
Sec. 6	<i>July 1, 2022</i>	17a-101q
Sec. 7	<i>July 1, 2022</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>July 1, 2022</i>	54-240
Sec. 10	<i>July 1, 2022</i>	54-240a
Sec. 11	<i>July 1, 2022</i>	54-240c