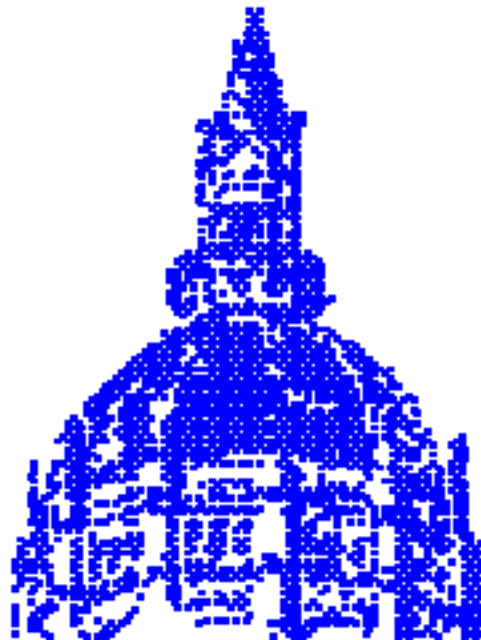


Office of Legislative Research  
Connecticut General Assembly



**CHILDREN**



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## **Notice to Readers**

This report provides brief highlights of new laws affecting children enacted during the 2011 regular and special sessions. Each summary indicates the public act (PA) number and effective date.

Not all provisions of the acts are included here. Complete summaries of all 2011 public acts will be available when OLR publishes its Public Act Summary book; some are already on OLR's website ([www.cga.ct.gov/olr/OLRPASums.asp](http://www.cga.ct.gov/olr/OLRPASums.asp)).

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerks Office, or General Assembly's website ([www.cga.ct.gov/](http://www.cga.ct.gov/)).

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## **CHILDREN'S HEALTH**

### ***Autism Spectrum Disorders***

#### **PA 11-44 (§§ 147 & 148)**

makes changes to the requirements for individual and group health insurance policies that provide coverage for medically necessary early intervention (birth-to-three services) provided as part of an individualized family service plan. It prohibits these policies from imposing co-insurance, copayments, deductibles, or other out-of-pocket expenses for these services, unless they are high-deductible policies designed to be compatible with federally qualified health savings accounts.

The act also increases the annual maximum benefit that group health insurers must provide for children with autism spectrum disorders who receive birth-to-three services.

By law, group health insurance policies must cover medically necessary birth-to-three services provided as part of an individualized family service plan for children with developmental delays. This coverage must include an annual maximum policy benefit of \$6,400 per child, with an aggregate benefit of \$19,200 per child over the three-year period. The act expands these coverage amounts for children with autism

spectrum disorders to \$50,000 per child per year and \$150,000 per child over the three-year period. The act specifies that coverage provided through a birth-to-three individualized service plan must (1) be credited toward these coverage amounts in other statutes mandating autism coverage and (2) not increase these coverage amounts.

The act applies to health insurance policies delivered, issued, or renewed in Connecticut that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; and (4) hospital or medical services, including coverage under an HMO plan. Due to the federal Employee Retirement and Income Security Act, state health insurance mandates do not apply to self-insured plans.

EFFECTIVE DATE: January 1, 2012

### ***Childhood Immunization Task Force***

**PA 11-44 (§ 163)** establishes a 27-member childhood immunization task force consisting of legislative appointees, legislators, and executive branch members to consider whether the state should continue universal childhood immunizations. By law, the Department of Public Health (DPH) commissioner determines the standard of care

for childhood immunizations in Connecticut based on the recommended schedules of the (1) National Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, (2) American Academy of Pediatrics, and (3) American Academy of Family Physicians. Currently, DPH operates a federal "Vaccine for Children" program and its own immunization program funded by an assessment on health insurers.

EFFECTIVE DATE: Upon passage

### ***Termination of Utility Service for Households with Hospitalized Children***

The law bars electric and gas utilities, from November 1 through May 1, from terminating, or refusing to reinstate, service to residential customers who are "hardship cases" who cannot pay their bill. **PA 11-80 (§ 120)** additionally prohibits the utilities from denying service during this period. It also makes the prohibition apply year-round in cases where such customers have a child up to 24 months old who (1) lives in the customer's household, (2) has been admitted to the hospital, and (3) has received discharge papers on which the attending physician has indicated that utility service

is needed for the child's health and well being.

EFFECTIVE DATE: October 1, 2011

### ***Drop-In Pilot Program***

**PA 11-97** directs DPH to allow the establishment of a drop-in pilot program to provide facility-based temporary custodial care for any child 15 years of age or younger with a communicable or noncommunicable illness. The pilot program (1) must be administered by a licensed physician and (2) may provide temporary custodial care for not more than 12 children per day. A child in the program may not receive more than nine hours of custodial care per day.

EFFECTIVE DATE: October 1, 2011

### ***Care of High-Risk Newborns***

**PA 11-120** eliminates the requirement that DCF adopt regulations on the procedures principal providers (e.g., nurses and nursing assistants) of daily direct care for high-risk newborns in birthing hospitals must follow to participate in the discharge planning process and ongoing DCF functions concerning these newborns. Instead, DCF must coordinate with birthing hospitals to disseminate information on these procedures. (Birthing hospitals care for women during delivery of

a child or for women and their newborns following birth.)

EFFECTIVE DATE: July 1, 2011

## **DAY CARE**

### ***Care4Kids Notifications***

Existing law requires the Department of Social Services (DSS) to post a notice on its website and provide written notice to Care4Kids (the state's subsidized day care program) families and providers when it closes the program to new applicants, adopts eligibility standards that make it more difficult to qualify, or changes program benefits.

**PA 11-18** requires DSS to also give notice, in the same manner and to the same entities, when it makes any other change to the program's status or terms. As under existing law, DSS must give 30 days notice before the changes become effective.

EFFECTIVE DATE: Upon passage

### ***Nonprofit Day Care Center Licensing Exemption***

**PA 11-193** exempts from day care licensing requirements child day care services administered by the Cardinal Shehan Center in Bridgeport, as long as the center informs the enrolled children's parents and guardians that its programs are not licensed by DPH to be daycare service

providers. It does this by adding the center to a list of other exempt programs and organizations, such as boys' and girls' clubs. By law, DPH regulates and licenses child daycare centers and group and family daycare homes.

EFFECTIVE DATE: July 1, 2011

## **DEPARTMENT OF CHILDREN AND FAMILIES (DCF)**

### ***Prohibition Against Placing Children Under Age Six in DCF Group Homes***

**PA 11-44 (§ 164)** would have generally prohibited the DCF commissioner from placing any child under age six, or any sibling group including a child under that age, in a child care facility (group home). But **PA 11-48 (§ 305)** repealed this change. The prohibition would not have applied if the (1) home was designed for children and their parents or (2) child's health needs were so severe that that they could only have been met in a group home.

The provisions would have required a certification to the court when DCF placed a child or a sibling group containing such a child in a group home and a petition to the court for an emergency placement review hearing if a child or sibling group containing such a child remained in a group home for more than 30 days.

EFFECTIVE DATE: The provisions would have taken effect on July 1, 2012 but were repealed effective July 1, 2011.

### ***DCF Internal Organization***

**PA 11-105** requires the DCF commissioner to appoint up to two program directors and up to six regional directors in the unclassified service. Under prior law, she appointed directors as necessary, in the classified service, and with duties she determined. By law, unchanged by the act, she must make the appointments after consulting with the State Advisory Council on Children and Families (SAC). The act replaces the department's structure of area directors, offices, and advisory councils in prior law with regional directors, offices, and advisory councils.

EFFECTIVE DATE: July 1, 2011

### ***Connecticut Juvenile Training School's Public Safety Committee***

**PA 11-105** eliminates the Connecticut Juvenile Training School's (CJTS) public safety committee and transfers responsibility for reviewing safety and security issues that affect CJTS's host municipality (Middletown) to the CJTS

advisory committee. (CJTS is the state's all-male, high security juvenile detention facility.)

EFFECTIVE DATE: July 1, 2011

### ***Notification of Parental Rights During a DCF Investigation***

**PA 11-112** requires DCF, when making an initial, in-person investigation of a complaint of child abuse or neglect to give the child's parent or guardian written notice of his or her rights, as well as the implications of his or her failure to communicate with the department.

The DCF representative must (1) ask the parent or guardian to sign and date the notice as evidence of having received it and (2) immediately provide a copy of the signed notice to the parent or guardian. If the parent or guardian refuses to sign, the representative must (1) indicate on the notice that he or she was asked to sign and date it, but refused to do so and (2) sign it as witness to that fact.

EFFECTIVE DATE: October 1, 2011

### ***Waiving the Need for Separate Bedrooms***

**PA 11-116** authorizes DCF commissioner to waive any standard for separate bedrooms and room-sharing arrangements when placing a child in foster care with an unlicensed relative if



doing so is in the child's best interest. The law, unchanged by the act, bars the commissioner from waiving any standard or procedure related to safety. DCF regulations bar a child age three or older from sharing a bedroom with (1) another child of the opposite sex or (2) one of the same sex who is a disparate age. No child over age one can share a room with an adult without the department's permission.

EFFECTIVE DATE: October 1, 2011

### ***Reporting to Superior Court on Placement with a Relative***

By law, the Superior Court must do a number of things at a preliminary hearing on a temporary custody order, order to appear, or the first hearing on a petition regarding a neglected, uncared for, or dependent child or youth. Among them is to identify any relation, either by blood or marriage, living in the state who might serve as a licensed foster parent or temporary custodian and order the DCF commissioner to investigate the appropriateness of placing a child with such a relative. **PA 11-116** requires the commissioner to report to the court within 30 days of the hearing on the appropriateness of such a placement, rather than simply make a determination on the matter within that time.

EFFECTIVE DATE: October 1, 2011

### ***Kinship Care***

**PA 11-116** requires DCF to convene a working group to determine how to maximize kinship care for children in the department's care and custody. By October 1, 2011, the DCF commissioner must convene a working group to examine DCF practices and policies that affect kinship care. Using existing resources, the group must consider agency regulations, cultural competence in recruiting relative homes, outreach practices, and family conferencing. The group must submit a report by January 1, 2012 to the Human Services and Children's committees summarizing existing policies and practices affecting kinship care and recommending ways to increase such care.

EFFECTIVE DATE: Upon passage

### ***State Advisory Council on Children and Families***

**PA 11-120** adds two members to the SAC and adds foster parents to its membership. The governor appoints all members of the council, which the act increases from 17 to 19 members. By law, at least 50% of the members must be parents or family members of children who are receiving or have received behavioral health, child welfare, or juvenile services. The act adds

foster parents to this portion of the membership.

EFFECTIVE DATE: October 1, 2011

### ***Eliminating Reports***

**PA 11-120** deletes DCF's duty to prepare a plan on (1) delinquent children to be placed in CJTS and (2) an approach to juvenile rehabilitation.

EFFECTIVE DATE: July 1, 2011

### ***Ending DCF Services at Age 20***

By law, courts can commit children to DCF's custody in cases of delinquency and Families with Service Needs (status offenders), and when they have intensive behavioral health needs that could not otherwise be met. Under **PA 11-157**, a DCF commitment ends at the earlier of the date (1) a court orders it to expire or (2) the child reaches age 20. If an existing court order goes beyond that age, it is cut off when the individual reaches age 20. Courts are also prohibited from ordering or continuing orders for DCF services beyond that age.

The act also specifies that DCF transfers to the Department of Correction's (DOC) Manson or Niantic facilities end when the offender's commitment ends, as

described above, and the DOC jurisdiction over him or her ends simultaneously.

EFFECTIVE DATE: October 1, 2011

### ***Placing a Child with Special Study Foster Parents***

**PA 11-166** eliminates the minimum age requirement with which DCF must comply to temporarily place a child with a special study foster parent. Previously, only children 10 years old or older could be placed in such care.

By law:

1. a special study foster parent is at least 21 years old and not licensed by DCF to provide foster care;
2. a child may be placed with such a parent for up to 90 days when the placement is in the child's best interest;
3. the placement is made after DCF completes a satisfactory home visit and a basic family assessment;
4. the special study foster parent attests that he or she and any adult living in the household has not been convicted of a crime or arrested for any of specified felonies or for the possession, use, or sale of a controlled substance; and

5. a special study foster parent is subject to the licensure requirement if the placement exceeds 90 days.

EFFECTIVE DATE: July 1, 2011

### ***Access to DCF Records***

By law, DCF may not disclose its records to anyone unless (1) state law or federal regulations require or allow the disclosure or (2) the subject of the record or his or her authorized representative consents to the disclosure. **PA 11-167** generally expands the list of individuals and entities to whom DCF must, or may, disclose its otherwise confidential records, while broadening the circumstances in which the department can deny access. Also, in a number of instances, it limits or changes the use the recipient may make of materials contained in a record. By law, unauthorized disclosures are subject to imprisonment for up to one year, a fine of up to \$1,000, or both.

EFFECTIVE DATE: October 1, 2011

### ***Establishment of a Differential Response Program***

**PA 11-240** authorizes DCF commissioner to establish a “differential response program” for cases that the department classifies as lower-risk. Accordingly, it allows the

commissioner or a designee, when the department receives reports of alleged child abuse or neglect, to refer to community providers for family assessments and services, rather than investigate, those cases that it classifies as presenting a lower risk. It permits the DCF commissioner to establish such a differential response system for the type of referral the act authorizes. Under the act, when warranted, cases referred for family assessments can be referred for standard child protection services and vice versa.

EFFECTIVE DATE: July 1, 2011

### ***Abuse or Neglect***

**PA 11-240** prohibits DCF from finding a child or youth neglected solely because his or her parents are impoverished. It also eliminates children or youth who have been abused from the definition of “neglect.”

The act also changes the definition of “abuse” of children and youth by providing that a child or youth can be found to be abused, rather than deemed to be abused, if he or she is found to have statutorily specified adverse conditions.

The act removes the statutory definition of a “dependent” child or youth in juvenile court matters. These children and youth were defined in prior law as those whose home was a

suitable one for them except for the financial inability of their parent, guardian, or other person maintaining the home to provide for the child's or youth's specialized care needs. This change appears to eliminate DCF authority over claims of dependency unless they also satisfy the definition of either abuse or neglect.

EFFECTIVE DATE: July 1, 2011

## **EDUCATION**

### ***Identifying Foster Children in Schools***

**PA 11-93** requires DCF, when asked by school boards that have foster children from other towns attending schools under the boards' jurisdiction, to provide the foster child's name, birth date, and school of origin.

EFFECTIVE DATE: October 1, 2011

### ***Additional Truancy Requirements for Schools***

By law, each school board must adopt policies and procedures for dealing with truants that include certain specific actions. Among these are that (1) school personnel or volunteers under their direction make a reasonable effort to notify parents by phone when their child fails to appear for school and there is no indication that the parent knows of the child's

absence; (2) school officials meet with a child's parents within 10 school days after the child's fourth unexcused absence in a month or 10th in a school year; and (3) when a parent does not attend the required meeting or otherwise fails to cooperate in addressing the truancy, the superintendent of schools file a written complaint with the Superior Court alleging that the child's family is a Family With Service Needs (FWSN).

### **PA 11-136 (§§ 16-18)**

requires:

1. school personnel or volunteers to notify the parent of a child's absence by mail as well as by phone,
2. the mailed notice to warn that two unexcused absences in a month or five in a year could lead the school superintendent to file a FWSN complaint, and
3. the superintendent to file a FWSN complaint within 15 days after a parent fails to attend the meeting with school officials or otherwise fails to cooperate in addressing his or her child's school absences. Prior law imposed no deadline for filing the FWSN complaint.

By law, superintendents must include truancy data in the school and school district profiles they must submit to SDE each year. The act also requires

superintendents to include, in the narrative part of the profiles, a description of their school board's actions to reduce truancy.

By July 1, 2012, the act requires the State Board of Education to define an "excused" and "unexcused" absence and requires school boards to use the definitions to (1) report required truancy data on school profiles and (2) implement required truancy policies and procedures. There was formerly no requirement for a uniform statewide definition of these terms.

EFFECTIVE DATE: July 1, 2011

### ***Establishing an Anti-Truancy Pilot Program in Waterbury***

**PA 11-177** authorizes the probate court administrator to establish a pilot truancy clinic in Waterbury, within available appropriations. The Waterbury Regional Children's Probate Court administrative judge must administer the clinic. The purpose of the clinic is to identify and resolve the systemic causes of school absenteeism using nonpunitive procedures.

The act requires the truancy clinic to establish participation protocols and programs and relationships with schools and other individuals and organizations in the community to provide support services to clinic participants.

The probate court administrator must establish implementation policies and procedures and measure effectiveness. The clinic administrator must report to the probate court administrator, by September 1, 2012 and annually after that, on the clinic's effectiveness. By January 1, 2015, the probate court administrator must report on the clinic's effectiveness to the Education and Judiciary committees.

The act also authorizes (1) the administrative judge to refer any truancy clinic matter to a probate magistrate or attorney probate referee and (2) probate magistrates or attorney probate referees to hear these matters.

EFFECTIVE DATE: Upon passage

### ***Early Childhood Education***

**PA 11-181** creates, by July 1, 2013, a coordinated system of early care and education and child development. It requires the governor, by July 15, 2011 to appoint a planning director within the Office of Policy and Management (OPM) to develop a plan to implement the system. The act lists the system's duties and the things the planning director must consider in developing the implementation plan.

It requires various state agencies to help him or her develop in the plan.

It (1) requires the system to collaborate with local and regional early childhood councils to implement the system at the local level and (2) lists the childhood council's duties in the collaboration.

It requires the planning director to report to the Early Childhood Education Cabinet and several legislative committees, at various times, on the progress in planning and implementing the system.

The act eliminates SDE's Office of Early Childhood Planning, Outreach and Coordination and all of its duties.

It also changes the membership of the Early Childhood Education Cabinet and expands it from 17 to 20.

### ***Strengthening School Bullying Laws***

**PA 11-232** expands the types of conduct that constitute school bullying and the situations where it can occur. It expressly identifies as bullying (1) any targeting of a student based on the student's actual or perceived "differentiating" characteristics, such as race, gender, sexual orientation, or physical appearance and (2) actions taken through electronic communications or devices that otherwise qualify as bullying and are known collectively as "cyberbullying."

The act (1) makes the school principal responsible for

investigating or designating someone to investigate and address bullying whether it occurs in- or out-of-school, if it affects the school or students in the school or school district and (2) requires all school employees, not just teachers and administrators, to report bullying incidents they see or that are reported to them to the principal or his or her designee.

It requires schools and school districts to adopt safe school climate plans, rather than policies, to address bullying. It adds to the requirements for such plans that they, among other things, (1) establish deadlines for reporting, investigating, and notifying parents and guardians about bullying incidents; (2) prohibit retaliation against those who report bullying; and (3) require school officials to notify police when they believe bullying conduct constitutes a crime.

The act requires certified and noncertified employees, as well as certain contractors, working in public schools to receive annual training in how to identify, intervene, and prevent bullying and suicide among students. It also requires beginning teachers and teacher candidates to complete training on these topics. It grants immunity to school boards, school employees, students, parents, and others against damage claims arising from good faith reports of bullying and

responses to bullying in accordance with a district's safe school climate plan.

The act requires:

1. each school to carry out a biennial assessment of its school climate, using instruments disseminated by SDE;
2. school superintendents and principals to designate staff members and school committees to be responsible for school climate and responses to bullying in each school and district; and
3. SDE to establish a statewide network to provide resources, materials, and training on school bullying to school districts in the state.

EFFECTIVE DATE: July 1, 2011

## **JUVENILE JUSTICE**

### ***Juvenile Open Court Pilot Program***

**PA 11-51 (§§ 30 and 225)** repeals a Judicial Branch Juvenile Access Pilot Program, established in 2009 to increase public access to proceedings where a child is alleged to be uncared for, neglected, abused, or dependent, or is the subject of a petition for termination of parental rights. In place of the pilot program, the act permits all family matters judges to open their courtrooms to people with a

legitimate interest in the hearing or work of the court. People who may be granted access include:

1. foster parents and relatives;
2. service providers; and
3. members of the media and individuals or representatives of any agency, entity, or association.

For a child's safety and protection, judges may direct members of the last group who are present at a hearing not to disclose information that identifies the child, his or her custodian or caretaker, or members of the child's family involved in the case.

EFFECTIVE DATE: July 1, 2011 except the repeal of certain obsolete statutes is effective upon passage.

### ***Juvenile Reentry and Education***

#### **PA 11-115:**

1. expands a student's right to re-enroll in his or her old school district after being sent to a juvenile detention center, the Connecticut Juvenile Training School, or another residential placement for committing an offense for which he or she could be expelled from school;
2. requires school districts to immediately enroll or re-enroll a student

transferring from either of the unified school districts (USDs) run by DOC and DCF (USD #1 and USD #2, respectively);

3. requires a school district to re-enroll such a student in his or her former school, if the student went to school in the district before attending school in a USD and the former school has appropriate grade levels for the student;
4. establishes a deadline by which a new school district or charter school must notify a transfer student's previous district or charter school of a student's enrollment, and extends to USD #2 the required deadlines for a new school district or charter school to notify USD #1 of a student's transfer; and
5. requires school districts and charter schools to give students credit for instruction received in USD #2 within 30 days after receiving the student's records, as they already had to do for instruction received in USD #1.

EFFECTIVE DATE: July 1, 2011

### ***Placing Arrested Children in Juvenile Detention Centers***

**PA 11-154** prohibits police officers from placing children they arrest, but who have not yet appeared before a judge, in a juvenile detention center without a Superior Court order. It also makes other juvenile justice changes.

EFFECTIVE DATE: October 1, 2011, except a new reporting requirement is effective upon passage.

### ***Early Release of Juvenile Delinquents***

**PA 11-156** allows some detained juvenile delinquents to qualify for leave and release earlier than they would have otherwise. Under existing DCF facility rules, juvenile delinquents cannot be granted leave or release unless they have satisfactorily completed a 60-day fitness and security risk evaluation.

The act allows the DCF commissioner to waive this requirement when a delinquent who transferred from one facility to another had already satisfactorily completed the evaluation before the transfer.

The act also eliminates a requirement that DCF prepare a plan to keep delinquents sent to CJTS housed in that facility for at least one year. The plan also had to take a comprehensive



approach to juvenile rehabilitation.

EFFECTIVE DATE: October 1, 2011

### ***Admissibility of Juvenile Confessions***

By law, admissions, confessions, or statements made by a 16-year-old are inadmissible in any related delinquency proceeding unless the (1) police or juvenile court official made reasonable efforts to contact the child's parent or guardian, (2) child was advised that he or she has a right to contact a parent or guardian and have him or her present during the interview, and (3) child was told about his or her Miranda rights. Under **PA 11-157**, beginning July 1, 2012, these rules do not apply to admissions, confessions, or statements a 16- or 17-year-old makes to a police officer in connection with a case transferred to the juvenile docket from the youthful offender, regular criminal, or any motor vehicle docket, thus making them admissible in a court proceeding.

The act also makes the same exception for such confessions from the "totality of circumstances" test that ordinarily governs the admissibility of confessions in court proceedings.

EFFECTIVE DATE: July 1, 2012

### ***Disclosure of Educational Records to Juvenile Detention Facilities***

When a student is being held at CJTS or in a community detention facility, **PA 11-157** requires the local or regional board of education of the town where the student is enrolled, in compliance with federal regulations, to provide the student's educational records to the facility on request and without the parent's written permission. If the records are supplied without parental permission, the school must notify the parent or guardian at the time it releases the records. These records may not be further disclosed without a court order or the written consent of the student's parent or guardian.

The facility can use the records only to provide the detainee with educational services.

EFFECTIVE DATE: October 1, 2011

### ***Other Juvenile Justice Changes***

**PA 11-157** also:

1. removes crimes related to failure to appear and violations of the conditions of release from the definition of "delinquent child," and related provisions;

2. excludes delinquent acts from the definition of “family violence crimes”;
3. adds as serious juvenile offenses (SJO) 1st and 2nd degree strangulation and home invasion, thereby increasing penalties for these offenses;
4. removes 2nd degree hindering prosecution from enumerated SJOs;
5. beginning July 1, 2012, permits 17-year-olds alleged to have committed an offense that is pending on the youthful offender, regular criminal, or any motor vehicle docket on or after that date to have their cases transferred to juvenile court if juvenile programs are available that would more appropriately meet their needs and the youth and community would be better served by the treatment;
6. eliminates the requirement that DCF plan to keep juveniles sent to the Connecticut Juvenile Training School (CJTS) for at least one year;
7. requires police to notify the superintendent of the district where an arrested student attends school, as an alternative to the district where he or she lives;
8. requires schools to maintain confidentiality about juvenile justice and disciplinary matters that involve students age 16 and 17, not just younger students;
9. mandates that delinquency convictions for evading responsibility with a motor vehicle involving death or serious injury be reported to the Department of Motor Vehicles for the purpose of determining whether administrative sanctions against the child’s driver’s license are warranted;
10. requires police departments to handle reports of missing 15- to 17-year-olds in the same manner as they handle reports involving younger children and vulnerable adults; and
11. cuts off DCF services for children in families with service needs (status offenders) at age 18.

EFFECTIVE DATE: October 1, 2011, except the provisions involving 17-year-olds in delinquency proceedings are effective July 1, 2012.

**REPORTING CHILD ABUSE**

***Mandated Reporters in Schools***

**PA 11-93** expands the state’s “mandated reporter” law, which generally requires specified professionals to report to DCF or

local law enforcement when they suspect that children have been abused or neglected.

It requires:

1. DCF, in consultation with the State Department of Education (SDE), to craft a model mandated reporter policy for school boards to use to train school personnel;
2. the DCF commissioner to (a) offer a refresher reporter training program; (b) within available funding, provide training to all new school employees; and (c) develop a policy for investigating the school's mandated reporters who either fail to report or report late; and
3. school boards to take certain steps to ensure that school districts offer reporter training.

The act also establishes additional steps to be followed when the alleged perpetrator of the abuse or neglect is a school employee, including notification of certain school personnel and SDE. It adds to the responsibilities school boards have when assisting DCF with investigations as well as performing their own, and requires DCF to do random quality assurance reviews of reports involving school employees.

EFFECTIVE DATE: July 1, 2011

### ***Child Abuse Registry***

**PA 11-93** makes several changes in the use of, and reporting to, the child abuse registry that DCF must maintain. It:

1. requires school boards to require applicants for any position in the public schools to submit to a registry check;
2. requires DCF to develop a plan to implement this requirement and submit it to the Education and Human Services committees;
3. requires teachers, when first applying or renewing their state teaching certification, to submit to registry checks; and
4. allows disclosure of certain information in the registry.

EFFECTIVE DATE: Upon passage

### ***Notifying DCF When Teenagers are Arrested for Prostitution***

**PA 11-180** requires a police officer who arrests a 16- or 17-year-old on prostitution charges to report suspected child abuse or neglect to DCF. The report to DCF must be in accordance with the child abuse reporting law, which outlines report contents and imposes filing deadlines. By law, a police officer is a mandated reporter who must report suspected child abuse or

neglect to DCF and is subject to penalties for failure to do so.

The act requires an officer to make an oral report as soon as practicable, but within 12 hours (presumably of the arrest), and a written report within 48 hours after making the oral report.

EFFECTIVE DATE: October 1, 2011

### ***Cross-Reporting Child Abuse and Animal Abuse***

**PA 11-194** requires state, regional, and municipal animal control officers (ACOs) and DCF employees to report to the Department of Agriculture (DOAG) commissioner when they reasonably suspect that an animal is being treated cruelly, harmed, or neglected. The DOAG commissioner must forward the information he or she receives from the ACOs to the DCF commissioner in a monthly report. The DCF commissioner must then determine whether any address in an animal cruelty report corresponds to an address where there is an open investigation of a child in response to a report of child abuse or neglect.

The DCF commissioner must develop and implement training for her department's employees on how to identify cruelty or harm to or neglect of animals and their relationship to child welfare case practices. She must also train ACOs concerning identifying and reporting child

abuse and neglect. All training must be accomplished within available appropriations.

EFFECTIVE DATE: October 1, 2011

### **MISCELLANEOUS**

#### ***Children and Disaster Planning***

**PA 11-66** requires the commissioner of the Department of Emergency Management and Homeland Security (DEMHS) to amend the state's civil preparedness plan and program to include planning and activities specifically for children and youth in the event of natural or man-made disasters and terrorism. Starting by January 1, 2012, the commissioner must annually report to the General Assembly on homeland preparedness and emergency response plans and activities for children. The act specifies the provisions that the report and updated and amended plan and programs must address and include.

EFFECTIVE DATE: Upon passage

#### ***Results Based Accountability for Policies Affecting Children***

**PA 11-109** requires the Children's Committee to (1) maintain an annual report card evaluating the progress of state policies and programs affecting children; (2) develop, with a

working group, progress indicators and measures related to issues affecting children; and (3) consult with the Appropriations Committee's results-based accountability (RBA) subcommittee to identify child welfare system programs that must prepare their own annual report cards. The act specifies the (1) progress indicators that must be included in the Children's Committee's report card along with relevant data and (2) report card's distribution requirements. It identifies the participants in the working group, the issues for which indicators and measures must be developed, and the subsequent review process the committee must conduct.

EFFECTIVE DATE: July 1, 2011

### ***Uniform Definitions***

**PA 11-157** incorporates by reference definitions of "child" and "youth" from the delinquency statutes into the general definitions of those terms in the DCF statutes. The previous general definition of a child was a person under age 16; under the act it is a person under age 18 who has not been emancipated (legally designated an adult). The definition of youth changes from anyone at least age 16 and younger than 19 to an unemancipated 16- or 17-year-old.

This expands the laws regarding a child to cover 16- and 17-year-olds (in some case excluding emancipated minors).

EFFECTIVE DATE: October 1, 2011

### ***Court Findings Regarding Child Placement***

Under **PA 11-180**, before a Superior or probate court places or approves a child for adoption outside the state or a Superior Court commits an abused or neglected child to an out-of-state DCF placement, the court must find that the placement complies with the Interstate Compact on the Placement of Children (ICPC). In either case, the court's findings must include:

1. a finding that the state has received written notice from the receiving state that the proposed placement does not appear to be contrary to the child's interests,
2. the court has reviewed the notice,
3. whether the receiving state has completed the home study the compact requires or another home study, and
4. whether the receiving state's study supports the placement.

Under the act, the Superior Court finding must be on the record, the probate court finding does not.

The ICPC governs placement of children into and out of Connecticut for adoption, foster care, and residence with relatives after court action. Its purpose is to facilitate home studies in the receiving state before placement and supervision after placement (CGS § [17a-175](#)).

EFFECTIVE DATE: October 1, 2011

### ***Child Support***

The law requires parents to support their children. Wage withholding orders, authorizing employers to deduct established child support obligations from paychecks, are the most common way of pursuing support for parties separated or divorced or who never married the child's other parent.

**PA 11-214 and PA 11-219** makes numerous changes in the child support laws including statutes governing the

Department of Social Services' Bureau of Child Support Enforcement and the Judicial Branch's Support Enforcement Services Division.

**PA 11-233 (§ 15)** establishes a pilot program to provide employment opportunities for people legally obliged to provide child support. The program must operate in the Superior Court for family matters in Hartford, New Haven, and a third judicial district chosen by the chief court administrator. The act requires the administrator to report to the Judiciary Committee on the program's status and participation by July 1, 2012.

EFFECTIVE DATE: October 1, 2011 except the pilot program is effective July 1, 2011.