

**SERIES: 2000-2001**

**Circular Letter C-14**

**TO:** Superintendent of Schools  
**FROM:** Theodore S. Sergi, Commissioner of Education  
**SUBJECT:** Certification Files and Criminal Convictions Records  
**DATE:** January 19, 2001

The availability of electronic databases gives the Department of Education the capability of collecting, storing and retrieving vast amounts of data. It also gives the general public access to data, which heretofore would be too costly or voluminous to provide.

A recent Freedom of Information request by The Hartford Courant asked for an electronic file containing the name, year of birth and employment address of every person who holds a Connecticut teacher or administrator certificate or coaching or substitute permit. After consulting with the Freedom of Information Commission and the Office of the Attorney General, we provided the requested data on approximately 167,000 individuals. The Courant used similar data from the Department of Motor Vehicles to crosscheck licensed school bus drivers against criminal conviction records. There was a series of articles on this subject.

With the availability of electronic databases, the Department of Education has been considering the feasibility of conducting periodic crosschecks of our certification files against criminal conviction records. Our prime concerns involve both issues of privacy and accuracy of the crosschecks, especially because we would be basing them on variables such as name and address. We also believe that conducting such crosschecks would require new statutory authorization. We will work with the legislature and other state agencies to consider this issue and policy if it becomes law.

In 1994, the Connecticut General Assembly enacted legislation requiring the fingerprinting of all new school district employees within 90 days of employment. This is the most accurate method of determining criminal convictions because of the reliability of fingerprinting and the fact that both state and federal data is used.

While we explore options at the state level, I would like to remind you of several actions which should be done at the local level. First, remember to have every new employee fingerprinted within 90 days of employment. I would also encourage you to accelerate this statutory time schedule and have the fingerprinting done within the first two weeks of employment. Second, carefully check all references, preferably by personal contact. Third, request the revocation of certification of any employee who, in your professional opinion, has engaged in such egregious conduct that the individual should no longer possess a certificate or permit.

The quality of our educational workforce is a top priority for all of us. Together, we must ensure that the public has trust and confidence in every one of our professional educators and support staff.

If you have any thoughts on the content of this memorandum, please call Attorney Lee Williamson, Office of Legal and Governmental Affairs at (860) 566-2135.