



BETHANY PARKS AND RECREATION

**SYSTEM IMPROVEMENT NEEDED TO ENSURE CHILD SAFETY IN
MUNICIPAL AND OTHER LICENSE EXEMPT CHILD CARE SETTINGS
AND YOUTH CAMPS**

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**STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE**

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I. INTRODUCTION

The Office of the Child Advocate (“OCA”) is an independent government agency that is statutorily required to “[r]eview complaints of persons concerning the actions of any state or municipal agency providing services to children and of any entity that provides services to children through funds provided by the state . . . investigate those where the Child Advocate determines that a child or family may be in need of assistance from the Child Advocate or that a systemic issue in the state’s provision of services to children is raised by the complaint . . . provide assistance to a child or family who the Child Advocate determines is in need of such assistance including, but not limited to, advocating with an agency, provider or others on behalf of the best interests of the child . . . [and] [e]valuate the delivery of services to children by state agencies and those entities that provide services to children through funds provided by the state.”¹ Concurrently, OCA is required to “[t]ake all possible action including, but not limited to, conducting programs of public education, undertaking legislative advocacy and making proposals for systemic reform and formal legal action, in order to secure and ensure the legal, civil and special rights of children who reside in this state.”²

In June 2024, Anthony Mastrangelo was arrested and charged with multiple felony charges including Sexual Contact with a Victim under the age of 13, Sexual Assault in the First Degree, and Risk of Injury to a Minor. As of the date of this report, these matters remain pending. Mr. Mastrangelo had previously been employed by Bethany Parks and Recreation, in an after school program, and by Bethany Public Schools. It was alleged that Mr. Mastrangelo sexually abused multiple children while they attended a camp run by the town’s Park and Recreation Department. OCA began an investigation shortly after learning of Mr. Mastrangelo’s arrest.

In the following months, town residents raised concerns and questions regarding what the town knew and why parents were not notified. The town subsequently engaged the Honorable Robert L. Holzberg (Retired) and the law firm of Pullman & Comley, LLC to “conduct a thorough review of the Town’s and its First Selectman’s response to the allegation that five female children had been sexually abused by Parks & Recreation employee, Anthony Mastrangelo” and provide recommendations for the town’s recreation and child care programs. That [report](#) (hereinafter referred to as the “Pullman Report”) was issued on May 15, 2025.³ It includes a detailed discussion of the sequence of events, detailed description of the operations of Bethany Parks and Recreation, findings regarding the failures of town officials, and recommendations for the town. OCA encourages readers to review the Pullman Report in conjunction with this one, as OCA’s report includes limited facts relevant to the findings and recommendations herein.

The purpose of OCA’s investigation was to understand what occurred, identify any gaps in state systems designed to protect children, and make recommendations for system improvement. As

¹ Conn. Gen. Stat. § 46a-131.

² Id.

³ Holzberg, R., May 15, 2025, [A Report on the Investigation into the Town of Bethany’s Response to the Alleged Sexual Abuse of Minors Enrolled in the Parks and Recreation Summer and After-School Programs](#).

noted in the Pullman Report, there was a lengthy delay between completion of the first forensic evaluation and the arrest of Mr. Mastrangelo.⁴ The delay in arrest and prosecution is a matter of ongoing investigation by OCA. If warranted based on OCA's findings, OCA will issue a separate report regarding that issue. This report focuses on the state structures in place to ensure that individuals who pose a known safety risk to children are not employed in child care settings and youth camps and recommends taking several steps, including requirements for mandated reporter training, completion of background checks, and authorization for DCF to notify employers of allegations and investigation results.

II. METHODOLOGY

OCA reviewed relevant state laws and agency regulations. OCA obtained and reviewed the following records:

- Personnel files, policies and procedures, and other records obtained from Bethany Public Schools;
- Personnel files, policies and procedures, and other records obtained from Bethany Parks and Recreation;
- Related DCF records, including individual case records and agency policies;
- Police records, including warrants; and
- Court records.

OCA also conducted limited interviews with agency representatives and other selected individuals.

III. FACTUAL BACKGROUND

Mr. Mastrangelo was hired by Bethany Parks and Recreation in August of 2015, at the age of 16. In response to a subpoena requiring the production of Mr. Mastrangelo's personnel file, Bethany Parks and Recreation provided five pages printed from an electronic personnel file showing a hire date of August 10, 2015. The records do not include any documentation related to criminal background checks, checks of the DCF Registry, or checks of the Sex Offender Registry. There is no record of any training provided to Mr. Mastrangelo. According to the Pullman Report, at the time of his hiring and for the duration of his employment, Bethany Parks and Recreation had no policies or procedures requiring background checks of employees.⁵

Mr. Mastrangelo was hired as a substitute paraprofessional by Bethany Public Schools on November 25, 2019. In accordance with state law, the personnel record shows that Bethany Public Schools completed forms for national fingerprint based criminal history record check and check of the DCF Child Abuse Registry. The check of the DCF Child Abuse Registry, completed by DCF

⁴ Pullman Report, p. 22, Appendices F and P.

⁵ In response to a subpoena issued in July 2024, Bethany Parks and Recreation provided OCA, in September 2024, with undated policies and procedures requiring background checks of employees and training regarding mandated reporting. It is believed these policies were adopted after the incidents discussed herein.

on January 2, 2020, showed that Mr. Mastrangelo was not on the DCF Registry at that time. Bethany Public Schools received notification of completed criminal background checks dated March 14, 2020 showing no criminal record in the Connecticut State Police Bureau of Identification or in FBI records. Records also indicate a check of the Connecticut Sex Offender Registry was completed. At some point, Mr. Mastrangelo was also completing his internship at Bethany Public Schools. In addition, Bethany Public Schools provided documentation showing that Mr. Mastrangelo received mandated reporter training, sexual harassment training, and other legally required trainings in August 2021 in preparation for student teaching.

In December 2022, Mr. Mastrangelo was an employee of Bethany Parks and Recreation, an intern at Bethany Public Schools, and was working as a substitute paraprofessional and substitute teacher at Bethany Public Schools through an employment contract with an outside entity.⁶

On December 22, 2022, the Superintendent of Bethany Public Schools “received a phone call from a concerned parent informing her that another parent would be filing a Department of Children and Families (DCF) report on Anthony Mastrangelo.”⁷ She immediately asked Mr. Mastrangelo to leave Bethany Public Schools. The Superintendent, as a mandated reporter, then made a report to DCF. DCF accepted the report and began an investigation. The Superintendent also notified Bethany Parks and Recreation that a report had been filed and that Mr. Mastrangelo was asked to leave Bethany Public Schools.

In response to a subpoena from OCA, Bethany Parks and Recreation indicated that Mr. Mastrangelo’s employment duties were modified at that time to work in the office.

Mr. Mastrangelo was expected to begin student teaching at Bethany Public Schools in January 2023, but notified the district on January 6, 2023 that he decided to defer his student teaching. He did not return to Bethany Public Schools in any capacity after December 22, 2022.

Upon completion of its investigation, DCF notified Bethany Parks and Recreation of the results of its investigation. DCF did not provide a copy of its investigation report to Bethany Parks and Recreation, but the notice stated the category of each allegation and whether or not the allegations were substantiated. In response to a subpoena from OCA, Bethany Parks and Recreation Department acknowledged receipt of these notifications on June 19, 2023. Mr. Mastrangelo’s employment was terminated on June 22, 2023, though personnel records do not include a letter of termination.

There are no records to indicate that Bethany Public Schools received notification of the results of the investigation or a copy of the report.⁸ The DCF records do include a notification to the mandated reporter stating that the family case was closed.

⁶ Upon return from the pandemic, all substitute paraprofessionals and substitute teachers were employed through a contract with an outside agency and Mr. Mastrangelo was employed by that agency, continuing to serve in the role of substitute paraprofessional or substitute teacher. Interview with Superintendent Byrd, August 15, 2024.

⁷ Pullman Report, at 9.

⁸ While state law requires that DCF notify schools of the results of an investigation regarding a school employee, Mr. Mastrangelo was no longer a school employee at the time of the completion of the DCF investigation, though DCF records do not make clear that DCF was aware of that fact.

IV. LEGAL FRAMEWORK

The state of Connecticut has a statutory and regulatory framework designed to ensure the safety of children in child-care services. This includes licensing and oversight by the Office of Early Childhood and requirements for mandated reporting, background checks, and employer notifications.

A. LICENSING/REGULATORY OVERSIGHT

The Office of Early Childhood (OEC) is responsible for licensing child care centers and group child care homes,⁹ family child care homes,¹⁰ and youth camps¹¹ and establishing requirements through regulation.¹² “No person, group of persons, association, organization, corporation, institution or agency, public or private” is permitted to operate a child care center or group child care home,¹³ family child care home,¹⁴ or youth camp¹⁵ without a license.¹⁶ Licensing and regulation requirements are structured to apply to child care centers and group child care homes, family child care homes, or youth camps, with some variation amongst the three categories.

i. Child Care Centers, Group Child Care Homes, and Family Child Care Homes

In relation to child care centers, group child care homes, and family child care homes, the Commissioner of OEC (or delegated staff) must make an unannounced visit, inspection or investigation at least once per year.¹⁷ In addition, the local health director must make an inspection of child care centers and child care group homes at least once every two years.¹⁸

Licensing requirements include important safety requirements such as background checks; physical plant requirements; staffing ratios; sanitation requirements; documentation related to

⁹ [Conn. Gen. Stat. § 19a-77](#).

¹⁰ [Conn. Gen. Stat. § 19a-87b](#).

¹¹ [Conn. Gen. Stat. § 19a-420](#).

¹² [Conn. Gen. Stat. § 19a-80](#); [Conn. Gen. Stat. § 19a-428](#).

¹³ [Conn. Gen. Stat. § 19-80\(a\)](#). A “child care center” offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis. [Conn. Gen. Stat. 19a-77\(a\)\(1\)](#). A “group child care home” offers or provides a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family child care home except that it operates in a facility other than a private family home. [Conn. Gen. Stat. 19a-77\(a\)\(2\)](#).

¹⁴ [Conn. Gen. Stat. § 19a-87b](#).

¹⁵ [Conn. Gen. Stat. § 19a-421](#).

¹⁶ [Conn. Gen. Stat. § 19a-80](#).

¹⁷ [Conn. Gen. Stat. § 19a-80\(b\)\(3\)](#); [Conn. Gen. Stat. 19-87b\(a\)](#). License exempt child care settings that accept Care 4 Kids must be inspected annually based on federal law and OEC completes these inspections.

¹⁸ *Id.*

illness, injury, and medication; and training in medication administration and cardiopulmonary resuscitation (CPR). In licensed child care centers, group child care homes, and family child care homes, OEC regulations prohibit the use of “abusive, neglectful, physical, corporal, humiliating or frightening treatment or punishment including, but not limited to, spanking, slapping, pinching, shaking or striking children,” or tying or binding children.¹⁹ Restraint is prohibited except for the “protection and safety of the child or others, using least restrictive methods, as appropriate.”²⁰

If a child care operator has failed to comply with the law and/or regulations, the OEC may revoke the license; suspend the license until regulatory compliance is secured or conditions deemed necessary for the health, safety, and welfare of children are met; impose civil penalties; or place the license on probationary status and impose corrective measures.²¹ The Commissioner of Early Childhood is required to compile a listing of allegations of violations that have been substantiated by OEC and disclose such information to any person who requests it, provided it does not identify children or family members.²² Information regarding child care licensing and inspections can be found on the 211 Child Care website.²³

ii. Youth Camps

Licensing of youth camps is governed by Connecticut General Statutes §19a-420 et seq. There are two types of youth camps²⁴:

(1) Resident camp is defined as:

any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children who are at least three years of age and under sixteen years of age for at least seventy-two consecutive hours and in which the campers attending such camps eat and sleep; and

¹⁹ [Conn. Regs. § 19a-79-3a\(b\)\(7\)\(C\)](#) (child care centers and group child care homes); Conn. Regs. §19a-87b-10(k)(1) (family child care home).

²⁰ *Id.*

²¹ [Conn. Gen. Stat. § 19a-84](#). See also [Conn. Gen. Stat. 19a-87e](#).

²² [Conn. Gen. Stat. § 19a-80f\(d\)](#).

²³ <https://www.211childcare.org/>

²⁴ Youth camp means “any regularly scheduled program or organized group activity advertised as a camp or operated only during school vacations or on weekends by a person, partnership, corporation, association, the state or a municipal agency for recreational or educational purposes and accommodating for profit or under philanthropic or charitable auspices five or more children, who are at least three years of age and under sixteen years of age, who are (A) not bona fide personal guests in the private home of an individual, and (B) living apart from their relatives, parents or legal guardian, for a period of three days or more per week or portions of three or more days per week, provided any such relative, parent or guardian who is an employee of such camp shall not be considered to be in the position of loco parentis to such employee's child for the purposes of this chapter, but does not include (i) classroom-based summer instructional programs operated by any person, provided no activities that may pose a health risk or hazard to participating children are conducted at such programs, (ii) public schools, or private schools in compliance with section [10-188](#) and approved by the State Board of Education or accredited by an accrediting agency recognized by the State Board of Education, which operate a summer educational program, (iii) licensed child care centers, or (iv) drop-in programs for children who are at least six years of age administered by a nationally chartered boys' and girls' club[.]” [Conn. Gen. Stat. §19a-420](#).

(2) Day camp is defined as:

any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children who are at least three years of age and under sixteen years of age during daylight hours for at least three days a week with the campers eating and sleeping at home, except for one meal per day, but does not include programs operated by a municipal agency[.]²⁵

OEC is required to inspect youth camps prior to granting a license, within 72 hours after the camp commences operations, and in the event that a corrective action plan is required, within 72 hours of the approval of the corrective action.²⁶ Youth camps must also be inspected on an annual basis.²⁷ Youth camp staff must be trained on “the camp’s policies and procedures pertaining to behavioral management and supervision, emergency health and safety procedures and recognizing, preventing and reporting child abuse and neglect.”²⁸ State law includes other requirements designed to ensure the safety of campers including adequate staffing, supervision of hazardous activities, and that an adult trained in first aid be present.²⁹

Any person may make complaints to OEC regarding operation of a youth camp without a license or in a manner which may pose a potential danger to the health, welfare and safety of a child receiving youth camp services and OEC is authorized to investigate such complaints.³⁰ OEC may revoke the license; suspend the license; impose civil penalties; or place the license on probationary status and impose corrective measures, and impose limitations on the license if it finds substantial failure to comply with licensing requirements.³¹

B. MANDATED REPORTING

Connecticut requires certain individuals to be mandated reporters, meaning they are required to report to DCF any reasonable suspicion of abuse or neglect.³² Connecticut currently lists 41 different types of people who are mandated reporters. Most relevant to this report, individuals who are employed in “any public or private facility, child care center, group child care home or family child care home licensed by the state” and individuals employed as a “youth camp director,

²⁵ [Conn. Gen. Stat. §19a-420.](#)

²⁶ [Conn. Gen. Stat. §19a-426.](#) Any camp that operates for less than three days per week is not a youth camp as defined by Connecticut General Statutes 19a-420 and thus not subject to licensure or inspection.

²⁷ [Conn. Gen. Stat. §19a-426.](#)

²⁸ [Conn. Gen. Stat. §19a-422.](#)

²⁹ [Conn. Gen. Stat. §19a-422.](#)

³⁰ [Conn. Gen. Stat. §19a-429.](#)

³¹ [Conn. Gen. Stat. §19a-423.](#)

³² [Conn. Gen. Stat. 17a-101 and 101a.](#)

assistant director and staff member who is twenty-one or older” are mandated reporters.³³ The Department of Children and Families must make training available to all mandated reporters.³⁴ Licensed child care settings must have policies and procedures to ensure that suspected child abuse and neglect is reported and must train employees in their policies and procedures.³⁵ Similarly, licensed youth camps are required to “ensure that staff are trained on . . . preventing and reporting child abuse and neglect.”³⁶

C. BACKGROUND CHECKS

With respect to background checks, Connecticut requires individuals employed in all licensed child care settings³⁷ to receive background checks. Specifically:

- All individuals who are employed in licensed child care centers and group child care homes who provide care to a child or have unsupervised access to a child must undergo state and national fingerprint criminal history background checks, a check of the DCF Child Abuse Registry, and a check of the state and national sex offender registries.³⁸ These must be updated every five years.³⁹
- All individuals who are employed in licensed family care homes who provide care to a child (including assistants and substitutes) and all household members aged 18 and over must undergo state and national fingerprint criminal history background checks, a check of the DCF Child Abuse Registry, and a check of the state and national sex offender registries.⁴⁰ These must be updated every five years.⁴¹
- Individuals aged 18 and older who are employed in youth camps must undergo a criminal background check, check of the DCF Child Abuse Registry, check of the state and national sex offender registries. For these employees, criminal background checks may be completed by obtaining a state and national fingerprint check or by searching the electronic criminal record system maintained on the Internet web site of the Judicial Department for convictions matching the prospective employee's name and date of birth.⁴² Prospective

³³ [Conn. Gen. Stat. § 17a-101\(b\)\(32\) and \(35\)](#).

³⁴ [Conn. Gen. Stat. § 17a-101\(c\)](#).

³⁵ [Conn. Agencies Regs. 19a-79-3a\(b\)\(6\) and \(b\)\(7\)\(E\)](#).

³⁶ [Conn. Gen. Stat. § 19a-422](#).

³⁷ Similarly, all public school employees, must undergo state and national fingerprint criminal history background checks within 30 days of employment and a check of the DCF Child Abuse Registry. For public school employees, re-checks occur if an employee leaves employment to become employed in another school. For any person who has a certificate, authorization, or permit, the State Department of Education periodically runs checks of the state criminal database to determine if there is a new criminal conviction. At the time that any person seeks renewal of a certificate, authorization or permit, they must undergo a new check of the DCF Child Abuse Registry. If a school, during the course of a background check, receives notice that a person holding a certificate, authorization or permit issued by the State Board of Education has a conviction, they must notify the State Board of Education. [Conn. Gen. Stat. 10-221d](#).

³⁸ [Conn. Gen. Stat. § 19a-80\(c\)](#).

³⁹ [Conn. Gen. Stat. § 10-530](#).

⁴⁰ [Conn. Gen. Stat. § 19a-87b](#).

⁴¹ [Conn. Gen. Stat. § 10-530](#).

⁴² Youth camps may use a third-party provider to complete national criminal history record checks through a centralized database utilizing the prospective employee's fingerprints, provided such provider appears on a list of

employees may begin work pending receipt of these checks, if they are supervised by an employee who was subjected to such background checks within the last five years. Employees of youth camps must undergo background checks once every five years.⁴³

- Child care settings that are license exempt, but who receive funding through Care 4 Kids, are required to conduct background checks, including state criminal history and the DCF Child Abuse Registry.⁴⁴

Such background checks assist with identifying people with known histories that may pose a risk to children at the time of hiring. If a potential employee has certain criminal convictions or is on the Child Abuse Registry, the OEC reviews those and determines if the individual is suitable for employment.⁴⁵

D. NOTIFICATIONS OF CHILD ABUSE INVESTIGATIONS AND FINDINGS

At times, an existing employee may become the subject of a DCF investigation. All records maintained by DCF are confidential and may not be disclosed without written consent of the person, except under specific exceptions identified in statute.⁴⁶ For this reason, DCF is statutorily authorized to share certain information to ensure that individuals who pose a known risk to children are not employed in settings that provide close access to children.

i. Public and Private Schools and Institutions or Facilities that Provide Care to Children

a. Notification of Reports

If the alleged perpetrator is (a) a public school employee;⁴⁷ (b) a private school employee; or (c) a staff member of a public or private institution or facility that provides care for children,⁴⁸ DCF is required to notify the “principal, headmaster, executive director or other person in charge of such institution, facility or school” of the report of abuse or neglect. The person in charge of the school, institution, or facility must then notify the child’s parent or other person responsible for the child’s care.⁴⁹ If the alleged perpetrator is a public school employee, DCF is also required to notify the employing superintendent.⁵⁰

providers published on the Internet web site of the Office of Early Childhood. There are currently no third-party providers approved by the Office of Early Childhood.

⁴³ [Conn. Gen. Stat. § 19a-421\(b\)](#).

⁴⁴ [Conn. Gen. Stat. § 17b-749k](#).

⁴⁵ [Conn. Gen. Stat. § 19a-87a\(a\)](#); [19a-87e\(a\)](#).

⁴⁶ [Conn. Gen. Stat. § 17a-28](#).

⁴⁷ For public school employees, DCF must notify both the principal and the employing Superintendent.

⁴⁸ [Conn. Gen. Stat. 17a-101b\(d\)](#).

⁴⁹ [Conn. Gen. Stat. § 17a-101b](#).

⁵⁰ [Conn. Gen. Stat. § 17a-101b](#).

In addition, DCF must notify licensing agencies of certain reports including:

- “[i]f the alleged perpetrator is a school employee . . . or is employed by an institution or facility licensed or approved by the state to provide care for children, the department shall notify the Department of Education or the state agency that has issued such license or approval to the institution or facility of the report and the commencement of an investigation by the Commissioner of Children and Families.”⁵¹
- If the alleged perpetrator is a school employee who holds a certificate, authorization or permit issued by the State Board of Education, DCF must provide a copy of the report to the State Board of Education.⁵²
- If the alleged perpetrator is an employee of a facility or institution that provides care for a child which is licensed by the state, DCF must provide a copy of the report to the executive head of the state licensing agency.⁵³

b. Notification of results of investigation

Upon completion of the investigation, DCF must notify certain entities of the results of the investigation:

- If the alleged perpetrator is a school employee,⁵⁴ DCF must notify the employing Superintendent and the State Department of Education of the results of the investigation and provide a copy of the records of the investigation (whether or not the victim is a student in the employing school or school district).⁵⁵
- If the alleged perpetrator is a staff member of a public or private institution or facility that provides care for children or a private school, DCF must notify the employer of the results of the investigation and provide a copy of the investigation report.⁵⁶
- If the alleged perpetrator is a school employee, a staff member at an institution or facility that provides care to children, or a staff member at a private school and that person has a professional license issued by the state, DCF must notify the licensing agency of the results of the investigation and provide a copy of the records.⁵⁷
- If the alleged perpetrator is a school employee, a staff member at an institution or facility that provides care to children, or a staff member at a private school and that facility or

⁵¹ [Conn. Gen. Stat. §17a-101g\(a\)](#).

⁵² [Conn. Gen. Stat. § 17a-101c](#).

⁵³ [Conn. Gen. Stat. § 17a-101c](#).

⁵⁴ “School employee” means: (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, paraeducator or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school. [Conn. Gen. Stat. § 53a-65](#)

⁵⁵ [Conn. Gen. Stat. § 17a-101i\(a\)](#)

⁵⁶ [Conn. Gen. Stat. § 17a-101i\(b\)](#) (requiring notice of the results). [DCF Policy No. 22-2-2](#) (requiring that DCF provide a copy of the investigation report). Investigation reports include details regarding the witness interviews, documentation obtained, the determination to substantiate or unsubstantiate the allegations, and the rationale for the decision to substantiate or unsubstantiate.

⁵⁷ [Conn. Gen. Stat. § 17a-101i\(c\)](#).

institution is licensed by the state, DCF must notify the agency that licenses the facility of the results of the investigation and provide a copy of the records.⁵⁸

These notifications provide a safety net for children by ensuring that the appropriate employers and licensing entities are notified or reports and the results of investigations.

ii. Licensed Child Care Settings – Joint Investigations with OEC

In the case of a licensed child care settings, including child care centers, child care group homes, family care homes, and youth camps, DCF is required to notify the OEC of all reports of allegations of abuse or neglect occurring in such facilities, allegations that an employee of such facilities has abused or neglected a child (irrespective of where the abuse is alleged to have occurred), or allegations any household member in a family care home has abused or neglected a different child, and must provide OEC with copies of the records.⁵⁹ If OEC receives records from DCF that impact the person’s eligibility to remain employed (i.e. addition to the Central Registry), OEC notifies the employer that the individual is no longer eligible for employment in the licensed child care setting.

For incidents occurring in licensed child care settings, DCF and OEC jointly investigate the allegations and records are shared between the agencies.⁶⁰ The OEC is required to compile a listing of allegations of licensing violations that have been substantiated by the OEC concerning a facility during the prior three-year period and must disclose such information upon request provided it does not identify children or family members of those children.⁶¹

In addition, because licensed child care settings are facilities that provide care to children, DCF will notify the employer of allegations of abuse or neglect regarding individuals employed in that setting as required by [Connecticut General Statutes §17a-101b\(d\)](#) and the results of the investigation as required by [Connecticut General Statutes § 17a-101i\(b\)](#).

E. EXEMPTIONS AND GAPS

Over a dozen child care types or entities that meet the definition of child care center or group child care home are exempt from licensure. These exemptions include, but are not limited to, child care services operated by a public school system, a municipal agency or department, those administered by nationally chartered boys’ and girls’ clubs, and five entities that are identified by name.⁶² Most relevant here is that while the after school programs operated by local and municipal parks and recreation departments meet the definition of a child care center or group child care home, they are exempt from licensure. Similarly, youth camps that are operated by a municipal agency are exempt from youth camp licensing requirements that would otherwise be applicable.⁶³

⁵⁸ [Conn. Gen. Stat. § 17a-101i\(c\)](#).

⁵⁹ [Conn. Gen. Stat. 19a-80f](#).

⁶⁰ [Conn. Gen. Stat. § 19a-80f](#).

⁶¹ [Conn. Gen. Stat. § 19a-80f](#).

⁶² [Conn. Gen. Stat. §19a-77\(b\)](#).

⁶³ [Conn. Gen. Stat. § 19a-420\(3\)](#).

Because these entities are exempt from licensure, they are not required to comply with any of the standards applicable to licensed child care settings, including those that serve as the basic foundation for ensuring that individuals known to present a risk to children are not employed in such settings.⁶⁴ These include:

- Checking the state and federal criminal history of prospective employees;
- Checking the Connecticut DCF Child Abuse Registry; and
- Checking the state and national sex offender registries.

Lastly, while individuals aged 21 and older employed in youth camps and individuals employed in licensed child care settings are mandated reporters, individuals employed in license exempt child care settings are not currently mandated reporters (unless they are otherwise mandated reporters, such as a registered nurse working in such a setting).

V. DISCUSSION

Mr. Mastrangelo was hired in 2015 by Bethany Parks and Recreation at the age of 16. No background check was completed. At that time, had he sought employment in a licensed child-care setting or a school, he would have been required to complete a background check. Had he sought employment in a licensed youth camp, he would not have been required to complete a background check at the time of hire.⁶⁵ Had a background check been completed at that time, it would not have precluded Mr. Mastrangelo from becoming employed as he was not listed on the DCF Child Abuse Registry and had no disqualifying criminal convictions at that time. Nonetheless, Bethany Parks and Recreation lacked policies to require background checks for any employees, and OCA has seen no evidence to suggest that any employees received background checks. The failure to obtain background checks, while egregious from the perspective of child safety, was not a violation of the law because Bethany Parks and Recreation, like all municipal child care settings and youth camps, was exempt from licensing and thus exempt from such legal requirements.

License exempt local and municipal child care settings and youth camps exist throughout the state. Similarly, children attend other license exempt child care settings throughout the state, including those operated by nationally chartered boys' and girls' clubs and five specifically identified entities.

There is no central repository listing all of the license exempt child care settings or youth camps and the total number and location of such camps is not known. While some license exempt child

⁶⁴ Some license exempt entities are required to conduct background checks as a condition of receipt of Care 4Kids. Licensing requirements go beyond the background checks and notifications described herein and include other important components related to child safety including physical plant requirements; staffing ratios; sanitation requirements; documentation related to illness, injury, and medication; and training in medication administration and cardiopulmonary resuscitation (CPR).

⁶⁵ Since this time, Connected has adopted requirement that licensed youth camp staff aged 18 or older have background checks. [Conn. Gen. Stat. § 19a-421\(b\)](#).

care settings or camps may conduct background checks as a matter of prudent practice, no law requires them to do so, and it must be presumed that Bethany does not stand alone in its failure to employ prudent practices.

When the allegations arose regarding Mr. Mastrangelo, Bethany Parks and Recreation was immediately notified by the Superintendent of Bethany Public Schools that an allegation was made. The Superintendent denies sharing any details with Bethany Parks and Recreation, other than the fact that a report was made and she immediately asked Mr. Mastrangelo to leave. There is no evidence that DCF notified Bethany Parks and Recreation that a report had been made.

It is unclear whether the lack of notification by DCF to Bethany Parks and Recreation was a violation of existing law. While the law requires DCF to notify “the principal, headmaster, executive director or other person in charge of such institution, facility or school . . .” when it receives an allegation that a child has been abused or neglected by a “member of the staff of a public or private institution or facility that provides care for such child,”⁶⁶ and to notify those entities of the results of such investigations,⁶⁷ the current statutory language does not define the terms “public or private institution or facility that provides care for children.”

DCF policy likewise requires that DCF notify the “executive director or other person in charge of such institution or facility” of reports regarding an employee and of the results of those investigations (with a copy of the DCF investigation protocol) regardless of whether or not the investigation was employment related.⁶⁸ Again, there is no definition of “a public or private institution or facility that provides care for children.”

DCF policy references “notifications to State and Municipal Agencies” in relation to notification of completed investigations but these notifications are limited to notifications to law enforcement of certain findings, required under Connecticut General Statutes §17a-101j(a), and notifications to institutions or facilities “subject to licensure by the State of Connecticut.”⁶⁹ Because they are not licensed by a state agency, there would be no required notification to municipal child care settings or youth camps under these provisions.

In the Mastrangelo case, DCF notified Bethany Parks and Recreation of the results of the investigation but did not provide a copy of the investigation report. This is inconsistent with DCF policy because, if the entity was covered by Connecticut General Statutes §17a-101i and DCF Policy 22-22-2 and notification was required, DCF would be required to provide not only the results of the investigation but also a copy of the investigation protocol pursuant to DCF Policy 22-22-2. If Bethany Parks and Recreation was not covered, it is questionable whether notification of the results of the investigation was authorized.

Based on prior reviews, and conversations with DCF, it appears that, as a practical matter, decisions about notification for license exempt entities are inconsistent, at least in part due to this lack of

⁶⁶ [Conn. Gen. Stat. 17a-101b\(d\)](#) (emphasis added).

⁶⁷ [Conn. Gen. Stat. § 17a-101i\(b\)](#).

⁶⁸ [DCF Policy No. 22-2-2](#).

⁶⁹ [DCF Policy No. 22-2-2](#).

clarity in the law. These inconsistencies are visible in this case as DCF did not notify Bethany Parks and Recreation of the report, notified them of the results of the investigation, but did not provide a copy of the report. This impacts children not only in camps operated by municipalities, but also by nationally chartered boys' and girls' clubs and the other license exempt child care settings and youth camps.

Notifications of reports to DCF, and of the results of those investigations, to employers of individuals working with children in child care settings and youth camps are a critical piece of the safety net. Where there is a gap in the law, or a lack of clarity, the state must address those gaps to ensure the adequacy of the safety net.

VI. FINDINGS AND CONCLUSIONS

OCA's investigation reveals several gaps in the state's system for ensuring that individuals working with children do not pose a known safety risk. These include:

1. Unless they are mandated reporters for other reasons, such as a license they hold (i.e. registered nurse), individuals employed in license exempt child care settings are not mandated reporters. All youth camp directors, assistant directors and staff aged 21 or older are currently mandated reporters.
2. While licensed childcare settings and camps are required to conduct comprehensive background checks of employees, entities that are exempt from licensure are not. As a result, after school camps and day/summer camps operated by municipal agencies are not required to background check their employees.
3. Municipal agencies are not the only child care entities exempt from licensure, and thus exempt from the background check requirements applicable to licensed child care settings. Child care settings not required to conduct background checks also include those operated by nationally chartered boys' and girls' clubs, five entities specifically exempt by statute, those in retail establishments, and others.
4. DCF is required to notify certain employers when an employee is being investigated regarding allegations that he or she abused or neglected a child. Because the term is not defined in statute, there is a lack of clarity in the law in relation to individuals who are employed in "a public or private institution or facility caring for children." As a result, certain employers may not receive notice when an employee working with children has been accused of, or substantiated regarding, child abuse or neglect.

Such gaps leave children at risk of harm and must be remedied. OCA considered the licensure of municipal after school programs and camps, and other currently exempt entities, as a remedy. OEC licensing includes numerous components beyond the background checks and notifications described herein, including physical plant requirements, staffing ratios, and sanitation requirements. These requirements impact the health and safety of children in such programs and provide a gold standard. While licensure of such entities would be the most appropriate way to ensure the safety and well-being of all children, OCA is cognizant that past efforts to require licensure of such entities have failed. Historically, efforts to license child care settings and youth camps operated by municipalities and by nationally chartered

boys' and girls' clubs have been rebuffed due to concerns about the financial impact on municipalities and nationally chartered boys' and girls' clubs, and the potential corresponding increase in cost to those who utilize their services. As a result, these entities have remained license exempt. A 2016 effort to license child care settings operated by nationally chartered boys' and girls' clubs failed. Instead, the law was changed to require that license exempt entities notify parents and legal guardians that they are not licensed by the OEC.⁷⁰ While parents may receive notice that an entity is not licensed by OEC, it is likely that most parents are not aware of the true import of that: that individuals who are known to pose a safety risk could be employed there. These programs often provide lower cost child care and access to such programs is important to low-income families. Access to such camps, however, should not mean that parents must accept the risk that individuals known to be a risk to children might become employed or stay employed, due to the lack of background checks or employer notifications. State policy must put child safety at the forefront and the cost of background checks alone, without full licensure should not be overly burdensome. For these reasons, OCA recommends a middle path to require the most basic foundation of safety: that individuals working with children in these settings do not pose a known safety risk.

VII. RECOMMENDATIONS

OCA recommends:

1. State law should be amended to require that all individuals employed in child care settings as defined by Connecticut General Statutes §19a-77, regardless of any exemption from licensure, be mandated reporters.
2. State law should be amended to require that all child care settings as defined by Connecticut General Statutes §19a-77, regardless of any exemption from licensure, and all youth camps, ensure that all employees receive mandated reporter training.
3. State law should be amended to require that individuals working in municipal child care settings and youth camps, and other child caring entities currently exempt from licensure, undergo comprehensive background checks, with the exception of informal family arrangements, those administered by religious organizations, and those administered by or through the federal government, as described in sections (b)(4), (b)(8), and (b)(14) of Connecticut General Statutes §19a-77.
4. State law should be amended to define the term “public or private institution or facility that provides care for children” to ensure that DCF can notify entities that are otherwise exempt from licensure of (a) reports of abuse or neglect regarding an employee and (b) results of investigations.
5. Because these entities are not currently licensed, OEC has no mechanism in place to determine the number of impacted entities. The proposed changes should be stacked such that all impacted entities will be required to register with OEC in year one and comprehensive background checks and other requirements will go into effect in year two. This would allow OEC and any other impacted state agencies to determine any impact of requiring background checks and to develop systems for these entities, which would

⁷⁰ Public Act 16-100.

remain license exempt but required to conduct background checks. It would also give the entities time to plan for the changes that will be required of them.

Adopting these changes would provide parents utilizing license exempt entities with some assurance that individuals who pose a known safety risk to children are not employed in such settings.

APPENDIX A PROPOSED STATUTORY AMENDMENTS

PURPOSE: To ensure the safety of children attending license exempt child care settings and youth camps by requiring that employees of such child care settings and youth camps undergo comprehensive background checks including state and/or national criminal history checks, checks of the state child abuse registry, and checks of state and national sex offender registries and to ensure that DCF can notify employers of such entities when an employee is alleged to have abused or neglected of child and the results of such investigations.

Section 1: Add a definition to 17a-93:

“Public or private institution or facility that provides care for children” means any congregate residential setting licensed by a state agency, except for congregate residential settings licensed by the Commissioner of Children and Families, any entity licensed to provide child care services as defined in section 19a-77, and any entity required to complete comprehensive background checks pursuant to Section 19a-77(c) or 19a-420(3).”

Section 2: Amend Section 19a-77 as follows:

(a) As used in this section and sections [19a-77a](#) to [19a-80](#), inclusive, and sections [19a-82](#) to [19a-87a](#), inclusive, “child care services” includes:

(1) A “child care center” which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis;

(2) A “group child care home” which offers or provides a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family child care home except that it operates in a facility other than a private family home;

(3) A “family child care home” which consists of a private family home providing care (A) for (i) not more than six children, including the provider's own children not in school full time, without the presence or assistance of an assistant or substitute staff member approved by the Commissioner of Early Childhood, pursuant to section [19a-87b](#), present and assisting the provider, or (ii) not more than nine children, including the provider's own children, with the presence and assistance of such approved assistant or substitute staff member, and (B) for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are in school full time, including such provider's own children, shall be permitted, except that if such provider has more than three children who are such provider's own children and in school full time, all of such provider's own children shall be permitted. During the summer months when regular school is not in session, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are otherwise enrolled in school full time shall be permitted if there is such an approved assistant or substitute staff member present and assisting such provider, except that (i) if such provider has more than three such additional children who are such provider's own children, all of such provider's own children shall be permitted, and (ii) such approved assistant or substitute

staff member shall not be required if all of such additional children are such provider's own children;

(4) "Night care" means the care provided for one or more hours between the hours of 10:00 p.m. and 5:00 a.m.;

(5) "Year-round" program means a program open at least fifty weeks per year.

(b) For licensing requirement purposes, child care services shall not include such services which are:

(1) (A) Administered by a public school system, or (B) administered by a municipal agency or department;

(2) Administered by a private school which is in compliance with section [10-188](#) and is approved by the State Board of Education or is accredited by an accrediting agency recognized by the State Board of Education, provided the provision of such child care services by the private school is only to those children whose ages are covered under such approval or accreditation;

(3) Classes in music, dance, drama and art that are no longer than two hours in length; classes that teach a single skill that are no longer than two hours in length; library programs that are no longer than two hours in length; scouting; programs that offer exclusively sports activities; rehearsals; academic tutoring programs; or programs exclusively for children thirteen years of age or older;

(4) Informal arrangements among neighbors and formal or informal arrangements among relatives in their own homes, provided the relative is limited to any of the following degrees of kinship by blood, marriage or court order to the child being cared for: Grandparent, great-grandparent, sibling, aunt or uncle;

(5) Supplementary child care operations for educational or recreational purposes and the child receives such care infrequently where the parents are on the premises;

(6) Supplementary child care operations in retail establishments where the parents remain in the same store as the child for retail shopping, provided the drop-in supplementary child-care operation does not charge a fee and does not refer to itself as a child care center;

(7) Administered by a nationally chartered boys' and girls' club that are exclusively for school-age children;

(8) Religious educational activities administered by a religious institution exclusively for children whose parents or legal guardians are members of such religious institution;

(9) Administered by Solar Youth, Inc., a New Haven-based nonprofit youth development and environmental education organization;

(10) Programs administered by organizations under contract with the Department of Social Services pursuant to section [17b-851a](#) that promote the reduction of teenage pregnancy through the provision of services to persons who are ten to nineteen years of age, inclusive;

(11) Administered by the Cardinal Shehan Center, a Bridgeport-based nonprofit organization that is exclusively for school-age children;

(12) Administered by Organized Parents Make a Difference, Inc., a Hartford-based nonprofit organization that is exclusively for school-age children; or

(13) Administered by Leadership, Education and Athletics in Partnership, Inc., a New Haven-based nonprofit youth development organization.

(c) Any entity or organization that provides services or a program described in subsection (b) of this section shall inform the parents and legal guardians of any children receiving such services or enrolled in such programs that such entity or organization is not licensed by the Office of Early Childhood to provide such services or offer such program[.], **and, except for services described in**

subsection (b)(4), (b)(8), and (b)(14) of this section, shall conduct a comprehensive background check of all prospective employees, which shall include (A) state and federal criminal history record checks pursuant to section 29-17a (B) a check of the state child abuse registry established pursuant to section 17a-101k, (C) check of the registry established and maintained pursuant to section 54-257, and (D) a check of the National Sex Offender Registry Public Website maintained by the United States Department of Justice.

(d) No registrant or licensee of any child care services as defined in subsection (a) of this section shall be issued an additional registration or license to provide any such services at the same facility.

(e) When a licensee has vacated premises approved by the office for the provision of child care services and the landlord of such licensee establishes to the satisfaction of the office that such licensee has no legal right or interest to such approved premises, the office may make a determination with respect to an application for a new license for the provision of child care services at such premises.

Section 3: Amend Section 19a-420 as follows:

(1) “Youth camp” means any regularly scheduled program or organized group activity advertised as a camp or operated only during school vacations or on weekends by a person, partnership, corporation, association, the state or a municipal agency for recreational or educational purposes and accommodating for profit or under philanthropic or charitable auspices five or more children, who are at least three years of age and under sixteen years of age, who are (A) not bona fide personal guests in the private home of an individual, and (B) living apart from their relatives, parents or legal guardian, for a period of three days or more per week or portions of three or more days per week, provided any such relative, parent or guardian who is an employee of such camp shall not be considered to be in the position of loco parentis to such employee's child for the purposes of this chapter, but does not include (i) classroom-based summer instructional programs operated by any person, provided no activities that may pose a health risk or hazard to participating children are conducted at such programs, (ii) public schools, or private schools in compliance with section [10-188](#) and approved by the State Board of Education or accredited by an accrediting agency recognized by the State Board of Education, which operate a summer educational program, (iii) licensed child care centers, or (iv) drop-in programs for children who are at least six years of age administered by a nationally chartered boys' and girls' club;

(2) “Resident camp” means any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children who are at least three years of age and under sixteen years of age for at least seventy-two consecutive hours and in which the campers attending such camps eat and sleep;

(3) “Day camp” means any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children who are at least three years of age and under sixteen years of age during daylight hours for at least three days a week with the campers eating and sleeping at home, except for one meal per day, but does not include programs operated by a municipal agency, except that any such program operated by a municipal agency shall be required to conduct comprehensive background checks of all prospective employees, which shall include (A) state and federal criminal history record checks pursuant to section 29-17a or state criminal history check by searching the electronic criminal record system maintained on the Internet web site of the Judicial Department for convictions matching the prospective employee's name and year of birth,

(B) check of the state child abuse registry established pursuant to section 17a-101k, (C) check of the registry established and maintained pursuant to section 54-257, and (D) check of the National Sex Offender Registry Public Website maintained by the United States Department of Justice.

(4) “Person” means the state or any municipal agency, individual, partnership, association, organization, limited liability company or corporation;

(5) “Commissioner” means the Commissioner of Early Childhood; and

(6) “Office” means the Office of Early Childhood.

Section 4: Amend Section 17a-101 as follows:

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

(b) The following persons shall be mandated reporters: (1) Any physician or surgeon licensed under the provisions of chapter 370, (2) any resident physician or intern in any hospital in this state, whether or not so licensed, (3) any registered nurse, (4) any licensed practical nurse, (5) any medical examiner, (6) any dentist, (7) any dental hygienist, (8) any psychologist, (9) any school employee, as defined in section [53a-65](#), (10) any social worker, (11) any person who holds or is issued a coaching permit by the State Board of Education, is a coach of intramural or interscholastic athletics and is eighteen years of age or older, (12) any individual who is employed as a coach or director of youth athletics and is eighteen years of age or older, (13) any individual who is employed as a coach or director of a private youth sports organization, league or team and is eighteen years of age or older, (14) any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer employed by a public or private institution of higher education who is eighteen years of age or older, excluding student employees, (15) any police officer, (16) any juvenile or adult probation officer, (17) any juvenile or adult parole officer, (18) any member of the clergy, (19) any pharmacist, (20) any physical therapist, (21) any optometrist, (22) any chiropractor, (23) any podiatrist, (24) any mental health professional, (25) any physician assistant, (26) any person who is a licensed or certified emergency medical services provider, (27) any person who is a licensed or certified alcohol and drug counselor, (28) any person who is a licensed marital and family therapist, (29) any person who is a sexual assault counselor or a domestic violence counselor, as defined in section [52-146k](#), (30) any person who is a licensed professional counselor, (31) any person who is a licensed foster parent, (32) any person paid to care for a child in any public or private facility, child care center, group child care home or family child care home [licensed by the state] as defined by section 19a-77, including those otherwise exempt from licensure, (33) any employee of the Department of Children and Families or any person who, in the performance of such person's duties, has regular contact with and provides services to or on behalf of children pursuant to a contract with or credential issued by the Department of Children and Families, (34) any employee of the Office of Early Childhood who is responsible for the licensing of child care centers, group child care homes, family child care homes or youth camps, (35) any paid youth camp director, assistant director and staff member who is twenty-one years of age or older, (36) the Child Advocate and any employee of the Office of the Child Advocate, (37) any person who is a licensed behavior analyst, (38) any family relations counselor, family relations counselor trainee or family services supervisor employed by the Judicial Department, (39) any

victim services advocate employed by the Office of Victim Services within the Judicial Department, (40) any employee of a juvenile justice program operated by or pursuant to a contract with the Court Support Services Division of the Judicial Department, and (41) any person employed, including any person employed under contract and any independent ombudsperson, to work at a juvenile detention facility or any other facility where children under eighteen years of age are detained and who has direct contact with children as part of such employment.

(c) The Commissioner of Children and Families shall develop an educational training program and refresher training program for the accurate and prompt identification and reporting of child abuse and neglect. Such training program and refresher training program shall be made available to all persons mandated to report child abuse and neglect at various times and locations throughout the state as determined by the Commissioner of Children and Families. Such training program and refresher training program shall be provided in accordance with the provisions of subsection (g) of section [17a-101i](#) to each school employee, as defined in section [53a-65](#), within available appropriations.

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

Section 5: Add new statutory provision

All child care settings, as defined in section 19a-77, including those otherwise excluded for purposes of licensure, and all youth camps, as defined by section 19a-420, shall ensure that all employees receive training in the mandated reporting of suspected child abuse and neglect.