UPDATE ON EMPLOYEE REVIEW FOLLOWING THE OCA REPORT

The Report of the Office of the Child Advocate noted that some of the district employees who were referenced in the Report are still employed by the Hartford Public Schools, and there has been concern that some employees have not appropriately been held accountable. To address that concern, the Action Plan provides in part:

**CONCERN # 4:** Failure to hold some staff members accountable for inappropriate conduct, whether or not abuse is substantiated.

- Potential failure to differentiate between lack of substantiation (or reversal of substantiation) and expectations and accountability for inappropriate behavior.

**ACTION STEPS:**

- Outside review of organizational structure to identify and, where necessary, change structure to assure compliance with child abuse and neglect reporting requirements, including training and appropriate documentation.
- Outside review of the district’s human resources function and decision-making regarding staff accused of abuse or neglect.

Our Office of Talent Management and Labor Relations has worked with Shipman & Goodwin to conduct this review, and to date we have accomplished the following:

- In consultation with the Office of the Child Advocate, we have confirmed that no current employee referenced in the Report of the Office of the Child Advocate who was substantiated for abuse remains employed.
- In consultation of the Office of the Child Advocate, we have identified four district employees for whom DCF previously substantiated abuse, which substantiation was later reversed on appeal.
- Peter Dart is conducting a further review of those four cases to assure that these employees have performed their responsibilities appropriately since their reinstatement. That review will include direct conversations with the principals and other supervisors who work with those employees, as well as a file review to determine whether there have been any ongoing concerns. If there are any ongoing concerns, the Office of Talent Management and Labor Relations will work with the principals and other supervisors, as well as with legal counsel, to take appropriate disciplinary action.
The identity of these four employees is confidential as required by statute, and there will be no public disclosure of the employees for whom DCF reversed a prior substantiation of abuse. Such confidentiality is central to the DCF reporting process. That process is based on the premise that a DCF report is not a finding of wrongdoing, but rather simply the report of a suspicion that DCF must then investigate. Employees must be able to report suspected abuse or neglect of students without hesitation and without delay, including when the suspected perpetrator is a district employee. To assure that such reports are made promptly and without stigmatizing the subject of the report, the DCF statutes provide that DCF records are “wherever located, shall be confidential.” Conn. Gen. Stat. Section 17a-101k(a). Following the report to DCF, the employee may be suspended as determined appropriate, and if abuse or neglect is substantiated, the employee will be disciplined (including termination in appropriate cases). Any such disciplinary action will be public.

To assure that there is appropriate follow-up in future cases when an employee is reinstated after DCF has made a “no substantiation” finding, Mr. Dart is working with legal counsel to prepare a protocol for such reinstatement, including a process for independently reviewing whether discipline is warranted irrespective of the DCF finding, providing additional training as warranted, and for monitoring of the employee’s future conduct as appropriate.

The Office of the Superintendent and the Office of Talent Management and Labor Relations are also working with legal counsel to develop a policy for the Board Policy Committee to consider. Such policy, if adopted by the Board, will state clearly that district employees are held to a high standard of professional conduct that is separate and distinct from a DCF finding of no substantiation.