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Prosecutor Scolds Schools Over Abuse Reporting Law

Stamford case raises questions about educators' conduct

By CHRISTIAN NOLAN

The arrests of two Stamford public school administrators for failing to report to state officials a sexual relationship between a teacher and a student has put a spotlight on Connecticut's mandatory reporting statute. The case also raised the ire of a high-ranking prosecutor who suggested that some educators were more interested in protecting their reputations than following the law.

"While Stamford police investigated the underlying case of teacher sexual misconduct with a student, they discovered this blatant disregard for the mandated reporting obligations among the staff of Stamford High School, which could not be ignored," Stamford State's Attorney David I. Cohen wrote in a letter to the judge sentencing the two educators. "This lack of making student safety a priority pervades the system. [The Department of Children and Families] informs me that before these arrests, DCF conducted virtually no training on mandated reporting in the Stamford schools, despite the fact that all new employees are required by statute to have such training."

And so the question is: Is this problem unique to Stamford? Several attorneys said they believe most school districts in Connecticut are trying to abide by the mandatory reporting law. But Thomas Mooney, a Shipman & Goodwin partner who cochairs the firm's school law practice, said he



Law Tribune File Photo

Education attorney Thomas Mooney says the legislature's decision last year to impose stiffer penalties on those who ignore the state's mandatory reporting law made teachers more aware of their responsibilities.

hopes to share his concerns with Cohen. "I don't think there's a culture to suppress complaints," said Mooney. "I think we all agree on how important it is to report and protect children."

Mooney said he sometimes provides training to new teachers about the rules regarding mandated reporting.

"I think the Stamford case has reminded all of us that we can't do too much in terms of education and reminders," said Mooney. "There is a general perception that we needed to

do a better job of training. Now there's a requirement that school districts train all their staff in the mandated reporter requirements. That's a broad definition, but would include teachers, paraprofessionals, administrators, probably even school secretaries."

'Bureaucratic Culture'

In Stamford, high school English teacher Danielle Watkins, 32, allegedly had sex with an 18-year-old male student and also provided that teen and

another 15-year-old student with marijuana. A lawyer for the victims said the student was 17 when the sexual relationship started. She was charged with two counts of second-degree sexual assault, sale of marijuana and risk of injury to a child. She pleaded guilty Dec. 4 to the sexual assault charge.

When they heard about the relationship, Stamford High School Principal Donna Valentine and Assistant Principal Roth Nordin did not contact DCF. Instead, the school district conducted its own investigation.

At some point, law enforcement authorities were tipped off and the two administrators were charged with misdemeanors for failure to report. In late November, they were placed in the state's accelerated rehabilitation program, a special form of probation for first-time, nonviolent offenders.

In his nearly 1,000-word letter to the sentencing judge, Cohen questioned whether there was much attention being paid in Stamford to the laws requiring school employees—as well as coaches, medical professionals and clergy—to immediately report any knowledge or strong suspicion of abuse to DCF.

Cohen accused Stamford school officials of being part of a “bureaucratic culture” that puts the district's reputation ahead of children's safety, and said he was “saddened and outraged” by the district's conduct. He noted that Stamford school officials called the law firm representing the district when it learned of the sexual relationship instead of contacting child welfare officials. He wrote: “Anyone who has taken the DCF-mandated reporter training knows what they teach: ‘You report, we investigate, you do not.’”

Cohen was unavailable to expand his comments by press time. But an attorney for the two teens who were involved with the teacher also had harsh words for the Stamford school system.

“The board of education has specifically instructed the teachers and principals to violate the mandated reporter statute,” said Devin Janosov, of Papcsy Janosov Roche Trial Lawyers in Norwalk.

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Janosov said that after the principal and assistant principal caught wind of the teacher-student relationship, they told the school board. In turn, he said, the board contacted its lawyers at Shipman & Goodwin, who reportedly told school officials that because the student was 18, they did not need to report the matter to DCF. In his letter to the court, Cohen offered a similar version of events, including the law firm's advice.

“It is a misstatement of the law on so many levels,” said Janosov.

Janosov said his firm intends to file a lawsuit on behalf of the two teens against the city of Stamford once all the criminal cases are completed.

“We'll be going after the city fairly hard,” he said. “The facts of this case

are going to become a lot more public when the civil suit hits. The only way to get them to make true change is to hit them in the pocketbooks.”

Harsher Penalties

Mooney declined to comment on specific accusations concerning his firm's advice to the district, but in general noted that the mandated reporter law clearly states that 18-year-olds don't fall under it. Late last year, a new law made it a class A misdemeanor if a mandated reporter fails to report abuse or neglect to DCF. If any teachers weren't already aware of the law, “I think they're more aware now,” Mooney said, referring to the Stamford case.

Christopher Hankins, an attorney for the Connecticut Education Association, which represents 157 school districts, agreed that the additional criminal penalty “really puts teeth into” the mandated reporter requirements.

Overall, Hankins said, there are few allegations of teachers failing to follow the mandated reporter laws.

“I've had over 600 DCF investigations in the last 13 years and only a handful ever had to do with a failure to report,” said Hankins. “I think the teachers are really well aware of it.”

Hankins said he and the other two CEA staff attorneys advise teachers that if they have a reasonable suspicion of abuse or neglect, to first reach out to DCF to report it. Then after that, report it to their superior administrators in the school district.

“Teachers are in the best spot to witness suspected abuse or neglect,” he said. “A child spends most of its waking hours with teachers. That's why they're mandated reporters.” ■