

# Senate Bill No. 848

*[Focus on Private Schools: section titles, highlights and commentary added for readability.]*

## CHAPTER 460

An act to amend Sections 32280, 32281, 32282, 44010, 44242.5, 44830.1, 44939.5, and 51950 of, to amend, repeal, and add Section 44691 of, to add Sections 44051 and 44052 to, and to add Article 10 (commencing with Sec 32100) to Chapter 1 of Part 19 of Division 1 of Title 1 of, the Education Code, and to amend Section 11165.7 of the Penal Code, relating to pupil safety.

Approved by Governor October 07, 2025. Filed with Secretary of State October 07, 2025.

*[A Legislative Digest is helpful; compliance, however, depends on an understanding of the specific code sections.]*

## LEGISLATIVE COUNSEL'S DIGEST

SB 848, Pérez. Pupil safety: school employee misconduct: child abuse prevention.

(1) Under existing law, each school district and county office of education is responsible for the overall development, as specified, of a comprehensive school safety plan for each of its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires that the plan include, among other things, child abuse reporting procedures, as specified.

This bill would require a comprehensive school plan to instead include child abuse or neglect reporting procedures and would additionally require a comprehensive school safety plan, when it is next reviewed and updated, or by no later than July 1, 2026, to include procedures specifically designed to address the supervision and protection of children from child abuse or neglect and sex offenses. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

Existing law requires school district and county office of education comprehensive school safety plans to include assessing school crime committed on school campuses and at school-related functions.

This bill would require school district and county office of education comprehensive school safety plans to instead include assessing all crime, not just school crime, committed on school campuses and at school-related functions. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

Existing law authorizes a principal or their designee, when they verify through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the schoolsite of an elementary or secondary school at which they are the principal, to send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime, as specified. Existing law provides that these provisions do not create any liability in a school district or its employees.

This bill would revise and expand the definition of "violent crime" for these purposes and would authorize a principal or their designee to also provide that same notification for sex offenses, as defined.

(2) Existing law requires the Commission on Teacher Credentialing to, among other things, establish standards for the issuance and renewal of credentials, certificates, and permits, as specified. Existing law requires the commission to deny an application for the issuance of a credential or for the renewal of a credential, or to revoke a credential, for any person convicted of a sex offense, as defined. Existing law prohibits the governing board of a school district from employing or retaining in employment persons in public school service who have been convicted, or who have been convicted following a plea of nolo

contendere to charges, of any sex offense, and prescribes numerous provisions, including required actions, relating to suspensions, dismissals, and leaves of absences of public school employees charged or convicted of a sex offense.

This bill would expand the definition of “sex offense” for those purposes to include additional crimes, as provided. To the extent the expanded definition of sex offenses would impose additional duties on local educational agencies or other local entities or officials, the bill would impose a state-mandated local program.

In addition to any other prohibition or provision, existing law prohibits a person who has been convicted of a violent or serious felony from being hired by a school district, as defined, or charter school in a position requiring certification qualifications or supervising positions requiring certification qualifications, and prohibits a school district, as defined, or charter school from retaining in employment a current certificated employee who has been convicted of a violent or serious felony, and who is a temporary employee, a substitute employee, or a probationary employee serving before March 15 of the employee’s second probationary year, as provided.

This bill would apply those same prohibitions to persons who have been convicted of sex offenses, as defined, as provided. To the extent the bill would impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

(3) Existing law prohibits school districts, county offices of education, charter schools, and state special schools from entering into an agreement that would prevent a mandatory report of egregious misconduct, as defined, or expunging from an employee’s personnel file, or entering in an agreement that would authorize expunging from an employee’s personnel file, credible complaints of, substantiated investigations into, or discipline for, egregious misconduct. Existing law requires a school district, county office of education, charter school, or state special school that has made a report of an employee’s egregious misconduct to the Commission on Teacher Credentialing to disclose this fact to a school district, county office of education, charter school, or state special school considering an application for employment from the employee, upon inquiry.

This bill would additionally apply those provisions to private schools and diagnostic centers operated by the State Department of Education.

Existing law requires a person applying for a certificated position at a school district, county office of education, charter school, or state special school to provide that prospective employer with a complete list of every school district, county office of education, charter school, or state special school that the applicant has previously been an employee of, and requires school districts, county offices of education, charter schools, and state special schools considering an applicant for a certificated position to inquire with each of those local educational agencies that previously employed the applicant as to whether the applicant, while previously employed by the local educational agency, was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct that were required to be reported to the commission. Existing law requires those local educational agencies, when responding to an inquiry as to whether it has made a report of egregious misconduct to the commission, to also provide the inquiring local educational agency with a copy of all relevant information that was reported to the commission within its possession.

This bill would additionally apply those provisions to private schools and diagnostic centers operated by the department, and would also prescribe similar provisions for noncertificated employees applicable to school districts, county offices of education, charter schools, and state special schools and diagnostic centers operated by the department, and for employees of any position at private schools. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

This bill would require the commission, on or before July 1, 2027, and contingent upon an appropriation for these purposes in the annual Budget Act or another statute, to develop a statewide data system that includes information relating to investigations of allegations of egregious misconduct of individuals serving in a noncertificated position for a local educational agency, as defined, or in any position for a private school. The bill would require the commission to serve only as the data administrator for records submitted to the statewide data system and to ensure the secure operation and technical functionality of the statewide data system. The bill would require local educational agency employers and private school employers, following both the start of, and completion of, an investigation of egregious misconduct, to submit notice to the statewide data system, as provided. The bill would require substantiated reports of egregious misconduct and employee departures from employment during investigations to be recorded in the statewide data system, and would prohibit the recording in the statewide data system of investigations of egregious misconduct that result in an unfounded or inconclusive report, as provided. The bill would require those local educational agencies and private school organizations that are responsible for employment, employee investigations, or hiring decisions to review the statewide data system to determine whether an investigation resulted in a substantiated report of egregious misconduct before hiring an individual for an applicable position. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would prohibit the commission from being responsible for verifying the truthfulness or legal sufficiency of the information submitted by local educational agency employers or private school employers.

This bill would, on or before July 1, 2026, require each governing board of a school district, county board of education, and governing body of a charter school or private school, and the department for purposes of state special schools and diagnostic centers operated by the department, to (A) adopt written policies that promote safe environments for pupil learning and engagement, as specified, and (B) adopt written policies, plans, or specifications regarding school facilities, and the furnishing of school facilities, that address classroom and nonclassroom environments to promote safe environments for learning and engagement that are easily supervised. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would encourage school districts, county offices of education, and charter schools to work with their public entity risk pool joint powers authority or insurance provider to identify and adopt best practices known to prevent violent crimes, injury, sex offenses, and egregious misconduct.

(4) Existing law requires the commission to appoint a Committee of Credentials and requires allegations of acts or omissions for which adverse action may be taken against applicants or holders of teaching or services credentials to be presented to the committee. Existing law authorizes the committee to commence an initial review upon the receipt of any of a list of specified documents or information.

This bill would additionally authorize the committee to commence an initial review upon the receipt of a record of a substantiated report or the receipt of a record of a start of an investigation followed by a change in employment status during an investigation entered into the statewide data system.

(5) Existing law requires the State Department of Education, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services to, among other things, (A) develop and disseminate to all school districts, county offices of education, state special schools and diagnostic centers operated by the department, and charter schools, and their school personnel in California, information regarding the detection and reporting of child abuse, and (B) provide statewide guidance on the responsibilities of mandated reporters who are school personnel, as specified.

This bill, commencing July 1, 2026, would, among other things, (A) require that information to additionally be developed and disseminated to private schools and school volunteers, and (B) require that guidance to include school volunteers who are mandated reporters.

Existing law requires the State Department of Education to develop and disseminate to all school districts, county offices of education, state special schools and diagnostic centers operated by the department, and charter schools, and their school personnel in California, information regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and to develop appropriate means of instructing school personnel regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

This bill, commencing July 1, 2026, would, among other things, (A) require that information to additionally be developed and disseminated to private schools and school volunteers, and (B) require that means of instruction to include school volunteers.

Existing law requires school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools to provide annual training, using the online training module provided by the State Department of Social Services or an alternative training, to their employees and persons working on their behalf who are mandated reporters, as defined, on the mandated reporting requirements related to child abuse, as provided. Existing law also requires those entities to develop a process for all persons required to receive that training to provide proof of completing the training within the first 6 weeks of each school year or within the first 6 weeks of that person's employment. Commencing July 1, 2025, existing law additionally requires school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools to, among other things, provide annual training to their employees on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, as provided, and applies the proof of training requirements to this training.

This bill, commencing July 1, 2026, would, among other things, additionally apply those provisions to private schools and school volunteers, as provided, and would require school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, private schools, and charter schools that do not use the online training module provided by the State Department of Social Services to use an equivalent training module developed specifically to meet those requirements, as provided.

(6) Existing law authorizes a school district to provide abuse, including sexual abuse, and human trafficking prevention education, as provided, and authorizes a parent or guardian of a pupil to excuse their child from all or part of abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education, pursuant to a specified opt-out process, as provided.

This bill would, among other things, require the Superintendent of Public Instruction, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, local educational agencies, and public entity risk pool joint powers authorities that provide risk management services to California schools, on or before July 1, 2026, to

(A) develop, (B) disseminate to all school districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the State Department of Education, and private schools, and (C) post on the department's internet website, resources and information relating to appropriate boundaries, as provided. The bill would require the Superintendent, on or before July 1, 2026, to develop guidance on the appropriate means of instructing pupils regarding the prevention of abuse, including sexual abuse and assault, of pupils, as specified, and would authorize school districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools to provide annual instruction using the resources, information, and guidance developed and disseminated by the Superintendent, to all pupils, as provided. The bill would authorize a parent or guardian of a pupil to excuse their child from all or part of the instruction pursuant to the same opt-out process described above.

(7) Existing law, the Child Abuse and Neglect Reporting Act, establishes procedures for the reporting and investigation of suspected child abuse or neglect. The act requires certain professionals, including teachers, instructional aides, and classified employees, known as “mandated reporters,” to report known or reasonably suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department, as specified. Failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. The act provides that volunteers, except for volunteers of public or private organizations whose duties require direct contact with and supervision of children, except a volunteer of a Court Appointed Special Advocate program, are not mandated reporters.

This bill would revise and recast those provisions as they relate to the educational environment to instead make (A) employees, certain volunteers, and governing board or body members of a school district, county office of education, charter school, or private school, (B) employees, certain volunteers, and board members of public and private contractors to a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school whose duties require contact or supervision of pupils at that school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school, and (C) employees and certain volunteers assigned to a state special school or diagnostic center operated by the State Department of Education, all mandated reporters under the act. By imposing the reporting requirements on a new class of persons, for whom failure to report specified conduct is a crime, this bill would impose a state-mandated local program.

(8) This bill would incorporate additional changes to Section 32282 of the Education Code proposed by SB 98, to be operative only if this bill and SB 98 are enacted and this bill is enacted last.

(9) This bill would incorporate additional changes to Section 11165.7 of the Penal Code proposed by AB 653 and SB 402 to be operative only if this bill and either or both of those bills are enacted and this bill is enacted last.

(10) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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# Bill Text

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### Legislative Intent | ‘Safe Learning Environment Act’

**SECTION 1.** Article 10 (commencing with Section 32100) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

Article 10. Professional Boundaries Between Adults and Pupils and the Safety of Learning Environments

32100. (a) **It is the intent of the Legislature that** school districts, schools operated by county offices of education, charter schools, **private schools,** and state special schools and diagnostic centers operated by the department **be safe and nurturing places for pupils that are free of** fear and threats of violence and free of violent crimes and **sexual offenses committed by,** or intended to be committed by, **other pupils, school employees, volunteers, and contractors.**

(b) **On or before July 1, 2026, each** governing board of a school district, county board of education, and governing body of a charter school or **private school,** and the department, for purposes of state special schools and diagnostic centers operated by the department, **shall do both of the following:**

(1) **Adopt written policies that promote safe environments** for pupil learning and engagement, consistent with the legislative intent specified in subdivision (a), and that do both of the following:

(A) **Explicitly address professional boundaries (i) between pupils and school employees, adult volunteers, and school contractors, (ii) among and between pupils, and (iii) among and between adults employed, volunteering, or under contract.**

(B) **Establish appropriate limits on contact during or outside of the schoolday between pupils and school employees, volunteers, and school contractors via social media internet platforms, text messaging, and other forms of communication that do not otherwise include the pupil’s parent or guardian. The policies may vary the limitations based on the age or grade of the pupil.**

(2) **Adopt written policies, plans, or specifications regarding school facilities,** and the furnishing of school facilities, that address classroom and nonclassroom environments to promote safe environments for learning and engagement **that are easily supervised.**

(c) School districts, county offices of education, and charter schools are encouraged to work with their public entity risk pool joint powers authority or insurance provider to identify and adopt best practices known to prevent violent crimes, injury, sex offenses, and egregious misconduct.

(d) For purposes of this article, the following definitions apply:

(1) “Sex offense” has the same meaning as defined in Section 44010.

(2) “Small school district” means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

(3) “Violent crime” has the same meaning as defined in Section 32281.

**SEC. 2. Comprehensive School Safety Plans – *not yet required for Private Schools***

**SECTION. 2.** Section 32280 of the Education Code is amended to read:

**SEC. 3. Comprehensive School Safety Plans – *not yet required for Private Schools***

**SECTION. 3.** Section 32281 of the Education Code is amended to read:

**SEC. 4. Comprehensive School Safety Plans – *not yet required for Private Schools***

**SECTION. 4.** Section 32282 of the Education Code is amended to read:

**SEC. 4.5. Comprehensive School Safety Plans – *not yet required for Private Schools***

**SECTION. 4.5.** Section 32282 of the Education Code is amended to read:

**Definitions | Sex Offenses and forms of Misconduct**

**SECTION. 5.** Section 44010 of the Education Code is amended to read:

44010. “Sex offense,” as used in Sections 44020, 44237, 44346, 44425, 44436, 44836, and 45123, means any one or more of the offenses listed below:

- (a) An offense defined in Section 220, 261, 261.5, 288.2, 288.3, 288.4, subdivision (c) of Section 290, Section 311.2, 313.1, 647b, subdivision (a) or (d) of Section 647, or paragraph (2) of subdivision (c) of Section 647.6, of the Penal Code.
- (b) An offense defined in former subdivision (5) of former Section 647 of the Penal Code repealed by Chapter 560 of the Statutes of 1961, or any offense defined in former subdivision (2) of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961, if the offense defined in those sections was committed before September 15, 1961, to the same extent that an offense committed before that date was a sex offense for the purposes of this section before September 15, 1961.
- (c) An offense defined in Section 314 of the Penal Code committed on or after September 15, 1961.
- (d) An offense defined in former subdivision (1) of former Section 311 of the Penal Code repealed by Chapter 2147 of the Statutes of 1961 committed on or after September 7, 1955, and before September 15, 1961.
- (e) An offense involving lewd and lascivious conduct under Section 272 of the Penal Code committed on or after September 15, 1961.
- (f) An offense involving lewd and lascivious conduct under former Section 702 of the Welfare and Institutions Code repealed by Chapter 1616 of the Statutes of 1961, if that offense was committed before September 15, 1961, to the same extent that an offense committed before that date was a sex offense for the purposes of this section before September 15, 1961.
- (g) An offense defined in Section 286 or 288a of the Penal Code before the effective date of the amendment of either section enacted at the 1975–76 Regular Session of the Legislature committed before the effective date of the amendment.

- (h) An attempt to commit any of the offenses specified in this section.
- (i) An offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this state, would have been punishable as one or more of the offenses specified in this section.
- (j) A conviction for an offense resulting in the requirement to register as a sex offender pursuant to Section 290 of the Penal Code.
- (k) Commitment as a mentally disordered sex offender under former Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code, as repealed by Chapter 928 of the Statutes of 1981.

## **Education Employment | Misconduct Disclosures**

**SECTION. 6.** Section 44051 is added to the Education Code, immediately following Section 44050, to read:

44051. (a) (1) A person applying for a noncertificated position at a school district, county office of education, charter school, or state special school or diagnostic center operated by the department, or applying for any position at a private school, shall provide that prospective employer with a complete list of every school district, county office of education, charter school, state special school and diagnostic center operated by the department, and private school that the applicant has previously been an employee of.

(2) School districts, county offices of education, charter schools, and state special schools and diagnostic centers operated by the department considering an applicant for a noncertificated position, and private schools considering an applicant for any position, shall inquire with each school district, county office of education, charter school, state special school and diagnostic center operated by the department, and private school that previously employed the applicant, as disclosed pursuant to paragraph (1), as to whether the applicant, while previously employed by the school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct, as defined in paragraph (1) of subdivision (a) of Section 44932, that were used to support a substantiated investigation.

(3) School districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools that have made a report of an employee's egregious misconduct to the Commission on Teacher Credentialing shall disclose this fact to a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school considering an application for employment from the employee, upon inquiry, and, notwithstanding any other law, shall provide the inquiring school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school with a copy of all relevant information that was used to support a substantiated investigation, within its possession.

(b) For purposes of this section, noncertificated employees include noncertificated temporary employees regardless of the length of their employment.

## Statewide Data System | Gathering Misconduct Information

**SECTION. 7.** Section 44052 is added to the Education Code, immediately following Section 44051, to read:

44052. (a) On or before July 1, 2027, the commission shall, contingent upon an appropriation for these purposes in the annual Budget Act or another statute, develop a statewide data system that includes all of the following information for individuals serving in a noncertificated position for a local educational agency or in any position for a private school employer:

- (1) The name, date of birth, and a unique identification number of the employee.
- (2) The name of the school employer.
- (3) The starting date, ending date, if applicable, and title for each school position held by the employee.
- (4) The name of any local educational agency or private school employer that conducted an employee investigation for egregious misconduct that resulted in evidence for a substantiated report, as defined in Section 11165.12 of the Penal Code, on or after July 1, 2027.
- (5) The date an investigation described in paragraph (4) was commenced.
- (6) The date a substantiated report described in paragraph (4) was filed.

(b) Those local educational agencies and private school organizations that are responsible for employment, employee investigations, or hiring decisions shall, before hiring an individual for a noncertificated position at a local educational agency or any position at a private school employer, review the statewide data system established pursuant to subdivision

(a) to determine whether an investigation resulted in a substantiated report pursuant to paragraph (4) of subdivision (a).

(c) Within 30 calendar days of hiring an individual for a noncertificated position at a local educational agency or for any position at a private school employer, the local educational agency employer or private school employer shall provide to the statewide data system established pursuant to subdivision (a) the name and start date of the individual and the title of the position.

(d) Within 30 calendar days of an individual changing into, or adding, a noncertificated position with the same local educational agency employer or any position at a private school organization, the local educational agency employer or private school employer shall provide to the statewide data system established pursuant to subdivision (a) the name and start date of the individual and the title of the new or additional position.

(e) Within 10 calendar days of a noncertificated employee leaving a position at a local educational agency or any employee leaving a position at a private school, the local educational agency employer or private school employer shall provide to the statewide data system established pursuant to subdivision (a) the final date of employment or final date in the position.

(f) (1) Within 10 calendar days of the start of an investigation of egregious misconduct, the local educational agency employer or private school employer shall submit notice to the statewide data system established pursuant to subdivision

(a) that an investigation was commenced.

- (2) Statewide data system records shall indicate a pending status from the receipt of notice pursuant to

paragraph (1) until the local educational agency employer or private school employer submits subsequent notice pursuant to this subdivision.

(3) Within 10 calendar days of the completion of an investigation of egregious misconduct, the local educational agency employer or private school employer shall submit notice stating the result of the investigation to the statewide data system.

(A) If an investigation of egregious misconduct results in a substantiated report as defined in subdivision (b) of Section 11165.12 of the Penal Code, a record of the investigation result shall be created in the statewide data system.

(B) If an investigation of egregious misconduct results in an unfounded report or inconclusive report as defined in Section 11165.12 of the Penal Code, no record of an investigation shall be created in the statewide data system.

(4) If a noncertificated employee leaves a local educational agency employer or any employee leaves a private school employer before the completion of an investigation of egregious misconduct, the local educational agency employer or private school employer shall submit notice of the change in employment status mid-investigation to the statewide data system to be included in the employee's record.

(5) If a previously substantiated report is later determined by the governing board or body of the local educational agency, the private school, or an administrative law judge, if applicable, to be unfounded or inconclusive, the local educational agency or private school shall notify the commission within 10 days. Upon receiving the notification, the commission shall remove the report from the statewide data system.

(g) The commission shall serve only as the data administrator for records submitted to the statewide data system pursuant to this section. The commission shall ensure the secure operation and technical functionality of the statewide data system, but shall not be responsible for verifying the truthfulness or legal sufficiency of the information submitted by local educational agency employers or private school employers.

(h) For purposes of this section, the following definitions apply:

(1) "Egregious misconduct" has the same meaning as defined in Section 44932.

(2) "Local educational agency" means a school district, county office of education, charter school, or state special school or diagnostic center operated by the department.

**SECTION. 8.** Section 44242.5 of the Education Code is amended to read:

44242.5. (a) Each allegation of an act or omission by an applicant for, or holder of, a credential for which the applicant may be subject to an adverse action shall be presented to the **Committee of Credentials**.

(b) The committee has jurisdiction to commence an initial review upon receipt of any of the following:

(1) (A) Official records of the Department of Justice, of a law enforcement agency, of a state or federal court, and of any other agency of this state or another state.

(B) For purposes of subparagraph (A), "agency of this state" has the same meaning as that of "state agency" as set forth in Section 11000 of the Government Code.

(2) An affidavit or declaration signed by a person with personal knowledge of the acts alleged to constitute misconduct.

(3) (A) A statement from an employer notifying the commission that, as a result of an allegation of

misconduct, or while an allegation of misconduct is pending, a credentialholder has been dismissed, nonreelected, suspended for more than 10 days, or placed pursuant to a final adverse employment action on unpaid administrative leave for more than 10 days, or has resigned or otherwise left employment.

(B) The employer shall provide the notice described in subparagraph (A) to the commission not later than 30 days after the dismissal, nonreelection, suspension, placement on unpaid administrative leave, resignation, or departure from employment of the employee.

(C) For purposes of subparagraphs (A) and (B), a change in status due solely to unsatisfactory performance pursuant to paragraph (4) of subdivision (a) of Section 44932 or a reduction in force pursuant to Sections 44955 to 44958, inclusive, is not a result of an allegation of misconduct.

(4) A notice from an employer that a complaint was filed with the school district alleging sexual misconduct by a credentialholder. Results of an investigation by the committee based on this paragraph shall not be considered for action by the committee unless there is evidence presented to the committee in the form of a written or oral declaration under penalty of perjury that confirms the personal knowledge of the declarant regarding the acts alleged to constitute misconduct.

(5) A notice from a school district, employer, public agency, or testing administrator of a violation of Section 44420, 44421.1, 44421.5, or 44439.

(6) (A) An affirmative response on an application submitted to the commission as to any conviction, adverse action on, or denial of, a license, or pending investigation into a criminal allegation or pending investigation of a noncriminal allegation of misconduct by a governmental licensing entity.

(B) Failure to disclose any matter set forth in subparagraph (A).

(7) (A) A record of a substantiated report entered into the statewide data system established pursuant to Section 44052.

(B) A record of a start of an investigation followed by a change in employment status during the investigation entered into the statewide data system established pursuant to Section 44052.

(c) An initial review commences on the date that the written notice is mailed to the applicant or credentialholder that their fitness to hold a credential is under review. Upon commencement of a formal review pursuant to Section 44244, the committee shall investigate all alleged misconduct and the circumstances in mitigation and aggravation. The investigation shall include, but not be limited to, all of the following:

(1) Investigation of the fitness and competence of the applicant or credentialholder to perform the duties authorized by the credential for which they have applied or that they presently hold.

(2) Preparation of a summary of the applicable law, a summary of the facts, contested and uncontested, and a summary of any circumstances in aggravation or mitigation of the allegation.

(3) Determination of probable cause for an adverse action on the credential. If the allegation is for unprofessional or immoral conduct, the committee, in any formal review conducted pursuant to Section 44244 to determine probable cause, shall permit the employer of the credentialholder to be present while testimony is taken. If the allegation of unprofessional or immoral conduct involves sexual abuse, the employer shall be examined in the meeting for any relevant evidence relating to the sexual abuse.

(A) If the committee determines that probable cause for an adverse action does not exist, the committee shall terminate the investigation.

(B) If the committee determines that probable cause for an adverse action on the credential exists, upon receipt of a request from an applicant or a credentialholder pursuant to Section 44244.1, the commission shall initiate an adjudicatory hearing, as prescribed by Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, by filing an accusation or statement of issues.

(d) The committee has jurisdiction to commence a formal review pursuant to Section 44244 upon receipt of any of the following:

(1) (A) Official records of a state or federal court that reflect a conviction or plea, including a plea of nolo contendere, to a criminal offense or official records of a state court that adjudge a juvenile to be a dependent of the court pursuant to Section 300 of the Welfare and Institutions Code due to allegations of sexual misconduct or physical abuse by a credentialholder or applicant.

(B) Subparagraph (A) does not relieve the commission from the confidentiality provisions, notice, and due process requirements set forth in Section 827 of the Welfare and Institutions Code.

(2) An affidavit or declaration signed by a person with personal knowledge of the acts alleged to constitute misconduct.

(3) A statement described in paragraph (3) of subdivision (b).

(4) Official records of a governmental licensing entity that reflect an administrative proceeding or investigation, otherwise authorized by law or regulation, that has become final.

(5) A notice described in paragraph (5) of subdivision (b).

(6) A response or failure to disclose, as described in paragraph (6) of subdivision (b).

(e) (1) Upon completion of its investigation, the committee shall report its actions and recommendations to the commission, including its findings as to probable cause, and if probable cause exists, its recommendations as to the appropriate adverse action.

(2) The findings shall be available, upon its request, to the employing or last known employing school district, or, if adverse action is recommended by the committee and the credentialholder has not filed a timely appeal of the recommendation of the committee pursuant to Section 44244.1, upon a request made within five years of the date of the committee's recommendations to a school district providing verification that the credentialholder has applied for employment in the school district. The findings, for all purposes, shall remain confidential and limited to school district personnel in a direct supervisory capacity in relation to the person investigated. A person who otherwise releases findings received from the committee or the commission, absent a verified release signed by the person who is the subject of the investigation, shall be guilty of a misdemeanor.

(3) The findings shall not contain any information that reveals the identity of persons other than the person who is the subject of the investigation.

(f) (1) Except as provided in paragraph (2) and, notwithstanding subdivision (b), for purposes of determining whether jurisdiction exists under subdivision (b), the commission, in accordance with Section 44341, may make inquiries and requests for production of information and records only from the Department of Justice, a law enforcement agency, a state or federal court, and a licensing agency of this state, or a licensing agency of another state.

(2) For purposes of determining whether jurisdiction exists, paragraph (1) does not apply to release of personnel records.

(g) Notwithstanding subdivision (a), convictions for controlled substance offenses listed in Section 11350 or 11377, or former Section 11500 or 11500.5, of the Health and Safety Code that are more than five years old, for which relief is granted pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, 1203.425, or 1203.49 of the Penal Code, shall not be presented to the Committee on Credentials.

## **Training Development/Requirements *[does not reference Private Schools]***

**SECTION. 9.** Section 44691 of the Education Code, as added by Section 2 of Chapter 814 of the Statutes of 2024, is amended to read:

44691. (a) The State Department of Education, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, shall do all of the following:

(1) Develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools, and their school personnel in California, regarding the detection and reporting of child abuse, and post on the department's internet website links to existing training resources.

(2) Provide statewide guidance on the responsibilities of mandated reporters who are school personnel in accordance with the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). This guidance shall include, but not necessarily be limited to, both of the following:

(A) Information on the identification of child abuse and neglect.

(B) Reporting requirements for child abuse and neglect.

(b) (1) The State Department of Education shall develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools, and their school personnel in California, regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

(2) The State Department of Education shall develop appropriate means of instructing school personnel regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

(c) School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools shall do the following:

(1) (A) Provide annual training, using the online training module provided by the State Department of Social Services or as provided in subdivision (d), to their employees and persons working on their behalf who are mandated reporters, as defined in Section 11165.7 of the Penal Code, pursuant to this section and subdivision (d) of Section 11165.7 of the Penal Code on the mandated reporting requirements. This training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Section 11166 of the Penal Code, is a misdemeanor punishable by up to six months confinement in a county jail, or by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine.

(B) Provide annual training on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

(C) The training provided pursuant to subparagraphs (A) and (B) shall be provided to school personnel hired during the course of the school year.

(D) It is the intent of the Legislature that the child abuse prevention content, as added by Assembly Bill 1913 of the 2023–24 Regular Session, will not add to the duration of training requirements pursuant to this section, as it read on January 1, 2024, but instead only alter the content of those training requirements.

(2) Develop a process for all persons required to receive training pursuant to this section to provide proof of completing the training within the first six weeks of each school year or within the first six weeks of that person’s employment. The process developed under this paragraph may include, but not necessarily be limited to, the use of a sign-in sheet or the submission of a certificate of completion to the applicable governing board or body of the school district, county office of education, state special school and diagnostic center, or charter school.

(d) School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools that do not use the online training module provided by the State Department of Social Services shall report to the State Department of Education the training being used in its place.

(e) This section shall become operative on July 1, 2025.

(f) This section shall become inoperative on July 1, 2026, and, as of January 1, 2027, is repealed.

## **Training Development/Requirements *[includes Private Schools]***

**SECTION. 10.** Section 44691 is added to the Education Code, to read:

44691. (a) The State Department of Education, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, shall do all of the following:

(1) Develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, private schools, and charter schools, and their school personnel and volunteers in California, regarding the detection and reporting of child abuse and assault, and post on the department’s internet website links to existing training resources.

(2) Provide statewide guidance on the responsibilities of mandated reporters who are school personnel in accordance with the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code). This guidance shall include, but not be limited to, both of the following:

(A) Information on the identification of child abuse and neglect and child sexual abuse and assault.

(B) Reporting requirements for child abuse and neglect and child sexual abuse and assault.

(b) (1) The State Department of Education shall develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers operated by the department, private schools, and charter schools, and their school personnel and volunteers in California, regarding the prevention of abuse, including sexual abuse and assault, of children on school grounds, by school personnel and volunteers, or in school-sponsored programs.

(2) The State Department of Education shall develop appropriate means of instructing school personnel regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs.

(c) School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, private schools, and charter schools shall do the following:

(1) (A) Provide annual training, using the online training module provided by the State Department of Social Services or as provided in subdivision (d), to their employees, volunteers, and persons working on their behalf who are mandated reporters, as defined in Section 11165.7 of the Penal Code, pursuant to this section and subdivision (d) of Section 11165.7 of the Penal Code on the mandated reporting requirements. This training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Section 11166 of the Penal Code, is a misdemeanor punishable by up to six months confinement in a county jail, or by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine.

(B) Provide annual training on the prevention of abuse, including sexual abuse and assault, of children on school grounds, by school personnel and volunteers, or in school-sponsored programs.

(C) The training provided pursuant to subparagraphs (A) and (B) shall be provided to school personnel hired during the course of the school year and to volunteers upon commencing volunteer services.

(D) It is the intent of the Legislature that the child abuse prevention content, as added by Assembly Bill 1913 of the 2023–24 Regular Session, will not add to the duration of training requirements pursuant to this section, as it read on January 1, 2024, but instead only alter the content of those training requirements.

(2) Develop a process for all persons required to receive training pursuant to this section to provide proof of completing the training within the first six weeks of each school year, within the first six weeks of that person's employment, or within six weeks of commencing volunteer services. The process developed under this paragraph may include, but not be limited to, the use of a sign-in sheet or the submission of a certificate of completion to the applicable governing board or body of the school district, county office of education, state special school or diagnostic center operated by the State Department of Education, private school, or charter school.

(d) (1) School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, private schools, and charter schools that do not use the online training module provided by the State Department of Social Services shall use an equivalent training module developed specifically to meet the requirements of this section and report that training to the State Department of Education.

(2) The alternative training module shall be approved by the public entity risk pool joint powers authority or liability insurance provider used by the school district, county office of education, state special school or diagnostic center operated by the State Department of Education, private school, or charter school.

(e) For purposes of this section, a volunteer is a person who is over 18 years of age and who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee.

(f) A person who has completed the mandated reporter training provided by the State Department of Social Services and received a certificate of completion within the previous 12 months shall be deemed to satisfy the training requirements specified in this section.

(g) It is the intent of the Legislature that the child sexual abuse and assault content, as added by Senate Bill 848 of the 2025–26 Regular Session, will not add to the duration of training requirements pursuant to this section, as it read on January 1, 2025, but instead only alter the content of those training requirements.

(h) This section shall become operative on July 1, 2026.

**SECTION. 11.** Section 44830.1 of the Education Code is amended to read:

44830.1. (a) In addition to any other prohibition or provision, no person who has been convicted of a violent or serious felony, or of a sex offense, shall be hired by a school district in a position requiring certification qualifications or supervising positions requiring certification qualifications. A school district shall not retain in employment a current certificated employee who has been convicted of a violent or serious felony, or of a sex offense, and who is a temporary employee, a substitute employee, or a probationary employee serving before March 15 of the employee’s second probationary year. If any conviction is reversed and the formerly convicted person is acquitted of the offense in a new trial, or the charges are dismissed, this section does not prohibit their employment thereafter.

(b) This section applies to any violent, serious, or sex offense which, if committed in this state, would have been punishable as a violent or serious felony or as a sex offense.

(c) (1) For purposes of this section, all of the following apply:

(A) A violent felony is any felony listed in subdivision (c) of Section 667.5 of the Penal Code.

(B) A serious felony is any felony listed in subdivision (c) of Section 1192.7 of the Penal Code.

(C) A sex offense is an offense listed in Section 44010 other than those described in subparagraph (A) or (B).

(2) For purposes of this section, a plea of nolo contendere to a serious or violent felony or a sex offense constitutes a conviction.

(3) For purposes of this section, the term “school district” has the same meaning as defined in Section 41302.5.

(d) When the governing board of any school district requests a criminal record summary of a temporary, substitute, or probationary certificated employee, two fingerprint cards, bearing the legible rolled and flat impressions of the person’s fingerprints together with a personal description and the fee, shall be submitted, by any means authorized by the Department of Justice, to the Department of Justice.

(e) When the Department of Justice ascertains that an individual who is an applicant for employment by a school district has been convicted of a violent or serious felony, or for purposes of implementing the prohibitions set forth in Section 44836, any sex offense, as defined in Section 44010, or any controlled substance offense, as defined in Section 44011, the department shall notify the school district of the criminal information pertaining to the applicant. The notification shall be delivered by telephone or electronic mail to the school district. The notification to the school district shall cease to be made once the statewide electronic fingerprinting network is returning responses within three working days. The Department of Justice shall send by first-class mail or electronic mail a copy of the criminal information to the Commission on Teacher Credentialing. The Department of Justice may charge a reasonable fee to cover the costs associated with processing, reviewing, and supplying the criminal record summary required by this section. In no event shall the fee exceed the actual costs incurred by the department.

(f) Notwithstanding subdivision (a), a person shall not be denied employment or terminated from employment solely on the basis that the person has been convicted of a violent or serious felony, or of a sex offense, if the person has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(g) Notwithstanding subdivision (f), a person shall not be denied employment or terminated from employment solely on the basis that the person has been convicted of a serious felony that is not also a violent felony or sex offense if that person can prove to the sentencing court of the offense in question, by clear and convincing evidence, that they have been rehabilitated for the purposes of school employment for at least one year. If the offense in question occurred outside this state, then the person may seek a finding of rehabilitation from the court in the school district in which they are a resident.

(h) Notwithstanding any other law, when the Department of Justice notifies a school district by telephone or electronic mail that a current temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary year, has been convicted of a violent or serious felony, or of a sex offense, that employee shall immediately be placed on leave without pay. When the school district receives written electronic notification of the fact of conviction from the Department of Justice, the employee shall be terminated automatically and without regard to any other procedure for termination specified in this code or school district procedures unless the employee challenges the record of the Department of Justice and the Department of Justice withdraws in writing its notification to the school district. Upon receipt of written withdrawal of notification from the Department of Justice, the employee shall immediately be reinstated with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement.

(i) An employer shall request subsequent arrest service from the Department of Justice as provided under Section 11105.2 of the Penal Code.

(j) Notwithstanding Section 47610, this section applies to a charter school.

(k) This section shall not apply to a certificated employee who applies to renew their credential when both of the following conditions have been met:

- (1) The employee's original application for credential was accompanied by that person's fingerprints.
- (2) The employee has either been continuously employed in one or more public school districts since the issuance or last renewal of their credential or their credential has not expired between renewals.

(l) Nothing in this section shall prohibit a county superintendent of schools from issuing a temporary certificate to any person described in paragraph (1) or (2) of subdivision (k).

(m) This section shall not prohibit a school district from hiring a certificated employee who became a permanent employee of another school district as of October 1, 1997.

(n) All information obtained from the Department of Justice is confidential. Every agency handling Department of Justice information shall ensure the following:

- (1) No recipient may disclose its contents or provide copies of information.
- (2) Information received shall be stored in a locked file separate from other files, and shall only be accessible to the custodian of records.
- (3) Information received shall be destroyed upon the hiring determination in accordance with subdivision (a) of Section 708 of Title 11 of the California Code of Regulations.

(4) Compliance with destruction, storage, dissemination, auditing, backgrounding, and training requirements as set forth in Sections 700 to 708, inclusive, of Title 11 of the California Code of Regulations and Section 11077 of the Penal Code governing the use and security of criminal offender record information is the responsibility of the entity receiving the information from the Department of Justice.

## Education Employment | Misconduct Disclosures

**SECTION. 12.** Section 44939.5 of the Education Code is amended to read:

44939.5. (a) School districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools shall not enter into an agreement that would prevent a mandatory report of egregious misconduct, as defined in paragraph (1) of subdivision (a) of Section 44932, to the Commission on Teacher Credentialing or any other state or federal agency.

(b) School districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools shall not expunge from an employee's personnel file, nor shall they enter into an agreement that would authorize expunging from an employee's personnel file, credible complaints of, substantiated investigations into, or discipline for, egregious misconduct, as defined in paragraph (1) of subdivision (a) of Section 44932. This prohibition does not preclude removing, or entering into an agreement to remove, documents containing allegations that have been the subject of a hearing before an arbitrator, school board, personnel commission, Commission on Professional Competence, or administrative law judge, in which the employee prevailed, the allegations were determined to be false, not credible, or unsubstantiated, or a determination was made that the discipline was not warranted.

(c) (1) A person applying for a certificated position at a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school shall provide that prospective employer with a complete list of every school district, county office of education, charter school, state special school or diagnostic center operated by the department, and private school that the applicant has previously been an employee of.

(2) School districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools considering an applicant for a certificated position shall inquire with each school district, county office of education, charter school, state special school and diagnostic center operated by the department, and private school that previously employed the applicant, as disclosed pursuant to paragraph (1), as to whether the applicant, while previously employed by the school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct, as defined in paragraph (1) of subdivision (a) of Section 44932, that were required to be reported to the Commission on Teacher Credentialing.

(3) School districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools that have made a report of an employee's egregious misconduct to the Commission on Teacher Credentialing shall disclose this fact to a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school considering an application for employment from the employee, upon inquiry, and, notwithstanding any other law, shall provide the inquiring school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school with a copy of all relevant information that was reported to the Commission on Teacher Credentialing, within its possession.

(d) Any school employee who alleges that another school employee has engaged in egregious misconduct, as defined in paragraph (1) of subdivision (a) of Section 44932, knowing at the time of making the allegation that the allegation was false, shall be subject to certificate revocation, if applicable.

## **Awareness & Reporting Training for Students**

**SECTION. 13.** Section 51950 of the Education Code is amended to read:

51950. (a) Except as required by subdivision (d), a school district may provide abuse, including sexual abuse and assault, and human trafficking prevention education.

(b) For purposes of this section, “abuse, including sexual abuse and assault, and human trafficking prevention education” means instruction on the prevalence and nature of abuse, including sexual abuse and assault, and human trafficking, strategies to reduce risk, techniques to set healthy boundaries, and how to safely seek assistance.

(c) The Superintendent, in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, local educational agencies, and public entity risk pool joint powers authorities that provide risk management services to California schools, shall do all of the following:

(1) On or before July 1, 2026, develop, disseminate to all school districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools, and post on the department’s internet website, resources and information regarding all of the following:

(A) Building awareness and understanding of appropriate boundaries regarding adult-to-pupil interactions and relationships.

(B) Building awareness and understanding of appropriate professional boundaries between pupils and school personnel and volunteers.

(C) Building awareness and understanding of appropriate pupil-to-pupil interactions and relationships.

(D) Building awareness and understanding of the detection and indicators of inappropriate behaviors in adults and pupils, and strategies to reduce risk and establish healthy boundaries.

(E) Options to report child abuse and assault, and inappropriate interactions and relationships, and to safely seek assistance.

(2) On or before July 1, 2026, develop guidance on the appropriate means of instructing pupils regarding the prevention of abuse, including sexual abuse and assault, of pupils, consistent with all of the following:

(A) The instruction shall be age appropriate and differentiated by grade and instructional setting.

(B) The instruction shall include the prevention of abuse, including sexual abuse and assault, of children at home, in the community, on school grounds, by school personnel, other pupils, and school volunteers, or in school-sponsored programs.

(C) The instruction shall be delivered by certificated personnel who do not otherwise have regular contact with the pupils receiving the instruction and who have received training described in subdivision (h).

(d) School districts, county offices of education, charter schools, state special schools and diagnostic centers

operated by the department, and private schools may provide annual instruction, using the resources, information, and guidance developed and disseminated by the Superintendent pursuant to subdivision (c), to all enrolled pupils.

(e) A parent or guardian of a pupil shall have the right to excuse their child from all or part of abuse, including sexual abuse, and human trafficking prevention education, and assessments related to that education, and from the instruction described in subdivision (d), consistent with Section 51938.

(f) The Superintendent may make available on the department's internet website information about the education described in this section, resources on abuse, including sexual abuse and assault, and human trafficking prevention for professional learning purposes, and relevant materials for parents, guardians, and other caretakers of pupils.

(g) A school district is encouraged to collaborate with its county's child welfare probation, mental health, public health, and sheriff's departments, juvenile court, and office of education on intervention programs for pupils and other minors.

(h) As part of satisfying the requirements of Section 51934 that education be provided by instructors trained in the appropriate courses, as defined in Section 51931, continuation training shall be available and conducted periodically to enable school district personnel to learn about new developments in the understanding of abuse, including sexual abuse and assault, and human trafficking, and to receive instruction on current prevention efforts and methods. A school district is encouraged to include training on early identification of abuse, including sexual abuse, and human trafficking of pupils and other minors.

## List of Mandatory Reporters as Modified – Includes Private Schools

**SECTION. 14.** Section 11165.7 of the Penal Code is amended to read:

11165.7. (a) As used in this article, "mandated reporter" is defined as any of the following:

- (1) An employee, volunteer, or governing board or body member of a school district, county office of education, charter school, or private school. For purposes of this paragraph, a volunteer is a person who is over 18 years of age and who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee.
- (2) An employee, volunteer, or board member of a public or private school, contractor to a school district, county office of education, charter school, state special school or diagnostic center operated by the State Department of Education, or private school whose duties require contact with or supervision of pupils at that school district, county office of education, charter school, state special school or diagnostic center operated by the State Department of Education, or private school. For purposes of this paragraph, a volunteer is a person who is over 18 years of age and who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee.
- (3) An employee or volunteer assigned to a state special school or diagnostic center operated by the State Department of Education. For purposes of this paragraph, a volunteer is a person who is over 18 years of age and who interacts with pupils outside of the immediate supervision and control of the pupil's parent or guardian or a school employee.
- (4) [Reserved]
- (5) [Reserved]
- (6) An administrator of a public or private day camp.

- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- (8) An administrator, board member, or employee of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency.
- (9) [Reserved]
- (10) A licensee, an administrator, or an employee of a licensed child daycare facility or community care facility, except those licensed community care facilities exclusively serving adults and seniors.
- (11) A Head Start program teacher.
- (12) A licensing worker or licensing evaluator employed by a licensing agency, as defined in Section 11165.11.
- (13) A public assistance worker.
- (14) An employee of a childcare institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- (15) A social worker, probation officer, or parole officer.
- (16) [Reserved]
- (17) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school.
- (18) A district attorney investigator, inspector, or local child support agency caseworker, unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- (19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.
- (20) A firefighter, except for volunteer firefighters.
- (21) A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- (22) An emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
- (23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- (24) A marriage and family therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.
- (25) An unlicensed associate marriage and family therapist registered under Section 4980.44 of the Business and Professions Code.
- (26) A state or county public health employee who treats a minor for venereal disease or any other condition.

(27) A coroner.

(28) A medical examiner or other person who performs autopsies.

(29) A commercial film and photographic print or image processor as specified in subdivision (e) of Section 11166. As used in this article, “commercial film and photographic print or image processor” means a person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.

(30) A child visitation monitor. As used in this article, “child visitation monitor” means a person who, for financial compensation, acts as a monitor of a visit between a child and another person when the monitoring of that visit has been ordered by a court of law.

(31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:

(A) “Animal control officer” means a person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.

(B) “Humane society officer” means a person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.

(32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, “clergy member” means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.

(33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.

(34) An employee of any police department, county sheriff’s department, county probation department, or county welfare department.

(35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 5.655 of the California Rules of Court.

(36) A custodial officer, as defined in Section 831.5.

(37) A person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

(38) An alcohol and drug counselor. As used in this article, an “alcohol and drug counselor” is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both alcohol and drug abuse, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

(39) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the Business and Professions Code.

(40) An associate professional clinical counselor registered under Section 4999.42 of the Business and

Professions Code.

(41) An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

(42) An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive.

(43) (A) A commercial computer technician as specified in subdivision (e) of Section 11166. As used in this article, "commercial computer technician" means a person who works for a company that is in the business of repairing, installing, or otherwise servicing a computer or computer component, including, but not limited to, a computer part, device, memory storage or recording mechanism, auxiliary storage recording or memory capacity, or any other material relating to the operation and maintenance of a computer or computer network system, for a fee. An employer who provides an electronic communications service or a remote computing service to the public shall be deemed to comply with this article if that employer complies with Section 2258A of Title 18 of the United States Code.

(B) An employer of a commercial computer technician may implement internal procedures for facilitating reporting consistent with this article. These procedures may direct employees who are mandated reporters under this paragraph to report materials described in subdivision (e) of Section 11166 to an employee who is designated by the employer to receive the reports. An employee who is designated to receive reports under this subparagraph shall be a commercial computer technician for purposes of this article. A commercial computer technician who makes a report to the designated employee pursuant to this subparagraph shall be deemed to have complied with the requirements of this article and shall be subject to the protections afforded to mandated reporters, including, but not limited to, those protections afforded by Section 11172.

(44) Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary educational institutions.

(45) An individual certified by a licensed foster family agency as a certified family home, as defined in Section 1506 of the Health and Safety Code.

(46) An individual approved as a resource family, as defined in Section 1517 of the Health and Safety Code and Section 16519.5 of the Welfare and Institutions Code.

(47) A qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional, as defined in Section 1374.73 of the Health and Safety Code and Section 10144.51 of the Insurance Code.

(48) A human resource employee of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code that employs minors. For purposes of this section, a "human resource employee" is the employee or employees designated by the employer to accept any complaints of misconduct as required by Chapter 6 (commencing with Section 12940) of Part 2.8 of Division 3 of Title 2 of the Government Code.

(49) An adult person whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace of a business subject to Part 2.8 (commencing with

Section 12900) of Division 3 of Title 2 of the Government Code is a mandated reporter of sexual abuse, as defined in Section 11165.1. Nothing in this paragraph shall be construed to modify or limit the person's duty to report known or suspected child abuse or neglect when the person is acting in some other capacity that would otherwise make the person a mandated reporter.

(b) Except as provided in paragraphs (1), (2), (3), and (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.

(c) (1) Except as provided in subdivision (d) and paragraph (2), employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.

(2) Employers subject to paragraphs (48) and (49) of subdivision (a) shall provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. The training requirement may be met by completing the general online training for mandated reporters offered by the Office of Child Abuse Prevention in the State Department of Social Services.

(d) Pursuant to Section 44691 of the Education Code, school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, charter schools, and, commencing July 1, 2026, private schools, shall annually train their employees and persons working on their behalf specified in subdivision (a) in the duties of mandated reporters under the child abuse reporting laws. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(e) (1) On and after January 1, 2018, pursuant to Section 1596.8662 of the Health and Safety Code, a childcare licensee applicant shall take training in the duties of mandated reporters under the child abuse reporting laws as a condition of licensure, and a childcare administrator or an employee of a licensed child daycare facility shall take training in the duties of mandated reporters during the first 90 days when that administrator or employee is employed by the facility.

(2) A person specified in paragraph (1) who becomes a licensee, administrator, or employee of a licensed child daycare facility shall take renewal mandated reporter training every two years following the date on which that person completed the initial mandated reporter training. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(f) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(g) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.

Duplicated – See SEC 14, above.

**SECTION. 14.1.** Section 11165.7 of the Penal Code is amended to read:

Duplicated – See SEC 14, above.

**SECTION. 14.2.** Section 11165.7 of the Penal Code is amended to read:

Duplicated – See SEC 14, above.

**SECTION. 14.3.** Section 11165.7 of the Penal Code is amended to read:

**SECTION. 15.** Section 4.5 of this bill incorporates amendments to Section 32282 of the Education Code proposed by this bill and Senate Bill 98. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 32282 of the Education Code, and (3) this bill is enacted after Senate Bill 98, in which case (A) Section 32282 of the Education Code, as amended by Section 2 of Senate Bill 98, shall remain operative only until January 1, 2026, (B) Section 32282 of the Education Code, as added by Section 3 of Senate Bill 98 shall be repealed as of January 1, 2026, (C) Section 4.5 of this bill shall become operative on January 1, 2026, and (D) Section 4 of this bill shall become operative on January 1, 2031.

**SEC. 16.** (a) Section 14.1 of this bill incorporates amendments to Section 11165.7 of the Penal Code proposed by both this bill and Senate Bill 402. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 11165.7 of the Penal Code, (3) Assembly Bill 653 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Senate Bill 402, in which case Sections 14, 14.2, and 14.3 of this bill shall not become operative.

(b) Section 14.2 of this bill incorporates amendments to Section 11165.7 of the Penal Code proposed by both this bill and Assembly Bill 653. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 11165.7 of the Penal Code, (3) Senate Bill 402 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 653, in which case Sections 14, 14.1, and 14.3 of this bill shall not become operative.

(c) Section 14.3 of this bill incorporates amendments to Section 11165.7 of the Penal Code proposed by this bill, Senate Bill 402, and Assembly Bill 653. That section of this bill shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2026, (2) all three bills amend Section 11165.7 of the Penal Code, and (3) this bill is enacted after Senate Bill 402 and Assembly Bill 653, in which case Sections 14, 14.1, and 14.2 of this bill shall not become operative.

**SECTION. 17.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.