

AMENDED IN SENATE MAY 1, 2025
AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 848

Introduced by Senator Pérez

February 21, 2025

An act to amend Sections 32280, 32281, 32282, 44010, *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 Section 32100) to Chapter 1 of Part 19 of Division 1 of Title 1 of, the Education Code, and to amend ~~Sections 288.3 and~~ *Section 11165.7* of the Penal Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 848, as amended, Pérez. Pupil safety: school employee misconduct: child abuse ~~prevention: criminal communications with a minor: 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. Existing law prohibits a chartering authority from denying a petition for the establishment of a charter school unless it makes written factual findings supporting at least one of specified bases for denial, including, among other bases for denial, that the petition does not contain a reasonably comprehensive description of the development of a school safety plan that includes the same safety topics required in school district and county office of education comprehensive school safety plans.

This bill would additionally require, when a comprehensive school safety plan or charter school's school safety plan is next reviewed and updated, or by no later than July 1, 2026, those plans to include procedures specifically designed to address the supervision and protection of children from child abuse 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, but not a charter school's school safety plan, 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. The bill would require, when a charter school's school safety plan is next reviewed and updated, or by no later than July 1, 2026, the plan to include assessing the current status of crime committed on the charter school's campus 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 (A) revise and expand the definition of "violent crime" for these purposes, (B) authorize a principal or their designee to also provide that same notification for sex crimes, as defined, (C) authorize charter school principals and their designees to provide the same notifications, and (D) provide that these provisions also do not create any liability in a charter school or its employees.

(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 ~~retain~~ 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 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 add private schools and diagnostic centers operated by the State Department of Education to those provisions.

Existing ~~laws~~ 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 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, state special schools and diagnostic centers operated by the department, and 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, to develop a statewide data system that includes ~~specified information, including information relating to egregious misconduct, for individuals serving in a noncertificated position for a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school. The bill would, among other things, require those employers, following the start of an investigation of egregious misconduct, to submit notice that an investigation was commenced and would require only substantiated reports to result in a record of the statewide data system indicating the employer and position for which the investigation was conducted.~~ *information relating to investigations of allegations of egregious misconduct of individuals serving in a noncertificated position for a private school employer or local educational agency, as defined. 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 a noncertificated position. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

This bill would, on or before July 1, 2026, require each governing board of a school district, county board of the 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 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 the Superintendent of Public Instruction, instead of the department, to undertake those activities in consultation with the Office of Child Abuse Prevention in the State Department of Social Services, (B) require that information to additionally be developed and disseminated to private schools and school volunteers, and (C) 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 State Department of Education, 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 the Superintendent, instead of the department, to undertake those activities, (B) require that information to additionally be developed and disseminated to private schools and school volunteers, and (C) 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, 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.

(5) 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, 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 department, and private schools, and (C) post on the department's internet website, resources and information relating to appropriate boundaries, as provided, and 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. The bill would, ~~commencing~~, *commencing* July 1, 2027, require school districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools to provide annual in-person instruction, using the resources, information, and guidance developed and disseminated by the Superintendent, to all pupils, as provided. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. 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.

~~(6) Existing law, as added by Proposition 83 of the November 7, 2006, statewide general election, makes it a crime for a person to contact or communicate with a minor, or attempt to contact or communicate with a minor, when the person knows or reasonably should know that the person being contacted is a minor, with the intent to commit one of a list of specified offenses involving the minor, including kidnapping and rape.~~

~~This bill would expand the list of specified offenses described above to include acts that meet the definition of “sex offense” for certain purposes in the Education Code, as specified, and would expressly include, as a means of contacting or communicating, any social networking internet website or application. By expanding the definition of a crime, the bill would impose a state-mandated local program.~~

~~(7)~~

(6) 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) ~~an employee, volunteer, or employees, certain volunteers, and~~ governing board or body ~~member members~~ of a school district, county office of education, charter school, or private school, (B) ~~an employee, volunteer, or employees, certain volunteers, and board member members~~ of a public ~~or and private contractor contractors~~ to a school district, county office of education, charter school, or private school whose duties require contact or supervision of pupils at that school district, county office of education, charter school, or private school, and (C) ~~an employee or volunteer 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)

(7) 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

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

4

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

7

8 32100. (a) It is the intent of the Legislature that school districts,
9 schools operated by county offices of education, charter schools,
10 private schools, and state special schools and diagnostic centers
11 operated by the department be safe and nurturing places for pupils
12 that are free of fear and threats of violence and free of violent
13 crimes and sexual offenses committed by, or intended to be
14 committed by, other pupils, school employees, volunteers, and
15 contractors.

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

21 (1) Adopt written policies that promote safe environments for
22 pupil learning and engagement, consistent with the legislative

1 intent specified in subdivision (a), and that do both of the
2 following:

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

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

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

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

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

24 (1) "Sex offense" has the same meaning as defined in Section
25 44010.

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

29 (3) "Violent crime" means any of the following:

30 (A) An act defined or described in paragraphs (2) to (4),
31 inclusive, of subdivision (i) of Section 67381.

32 (B) An act for which a pupil could or would be expelled pursuant
33 to Section 48915.

34 (C) A violent felony pursuant to subdivision (c) of Section 667.5
35 of the Penal Code.

36 (D) A serious felony pursuant to subdivision (c) of Section
37 1192.7 of the Penal Code.

38 SEC. 2. Section 32280 of the Education Code is amended to
39 read:

1 32280. (a) It is the intent of the Legislature that all California
2 public schools teaching kindergarten or any of grades 1 to 12,
3 inclusive, operated by a school district, in cooperation with local
4 law enforcement agencies, community leaders, parents, pupils,
5 teachers, administrators, classified employees, local emergency
6 medical services personnel, the school's public entity risk pool
7 joint powers authority or insurance provider, and other persons
8 who may be interested in the health and safety of pupils and the
9 prevention of campus crime and violence, develop a comprehensive
10 school safety plan that addresses the safety concerns identified
11 through a systematic planning process.

12 (b) It is also the intent of the Legislature that all school staff be
13 trained on the comprehensive school safety plan.

14 (c) For the purposes of this section, law enforcement agencies
15 include local police departments, county sheriffs' offices, school
16 district police or security departments, probation departments, and
17 district attorneys' offices.

18 (d) For purposes of this section, a "safety plan" means a plan
19 to develop strategies aimed at the prevention of, response to, and
20 education about, potential incidents involving medical emergencies,
21 including sudden cardiac arrest, and crime and violence on the
22 school campus.

23 SEC. 3. Section 32281 of the Education Code is amended to
24 read:

25 32281. (a) Each school district and county office of education
26 is responsible for the overall development of all comprehensive
27 school safety plans for its schools operating kindergarten or any
28 of grades 1 to 12, inclusive.

29 (b) (1) Except as provided in subdivision (d) with regard to a
30 small school district, the schoolsite council established pursuant
31 to former Section 52012, as it existed before July 1, 2005, or
32 Section 52852 shall write and develop a comprehensive school
33 safety plan relevant to the needs and resources of that particular
34 school.

35 (2) The schoolsite council may delegate this responsibility to a
36 school safety planning committee made up of the following
37 members:

38 (A) The principal or the principal's designee.

39 (B) One teacher who is a representative of the recognized
40 certificated employee organization.

1 (C) One parent whose child attends the school.

2 (D) One classified employee who is a representative of the
3 recognized classified employee organization.

4 (E) Other members, if desired.

5 (3) The schoolsite council shall consult with a representative
6 from a law enforcement agency, a fire department, and other first
7 responder entities in the writing and development of the
8 comprehensive school safety plan. The comprehensive school
9 safety plan and any updates to the plan shall be shared with the
10 law enforcement agency, the fire department, and the other first
11 responder entities.

12 (4) In the absence of a schoolsite council, the members specified
13 in paragraph (2) shall serve as the school safety planning
14 committee.

15 (c) This article does not limit or take away the authority of
16 school boards as guaranteed under this code.

17 (d) Subdivision (b) shall not apply to a small school district if
18 the small school district develops a districtwide comprehensive
19 school safety plan that is applicable to each schoolsite.

20 (e) (1) When a principal or their designee, including the
21 principal of a charter school or their designee, verifies through
22 local law enforcement officials that a report has been filed of the
23 occurrence of a violent crime or sex offense on the schoolsite of
24 an elementary or secondary school at which they are the principal,
25 the principal or the principal's designee may send to each pupil's
26 parent or legal guardian and each school employee a written notice
27 of the occurrence and general nature of the crime. If the principal
28 or their designee chooses to send the written notice, the Legislature
29 encourages the notice be sent no later than the end of business on
30 the second regular workday after the verification. If, at the time
31 of verification, local law enforcement officials determine that
32 notification of the violent crime or sex offense would hinder an
33 ongoing investigation, the notification authorized by this
34 subdivision shall be made within a reasonable period of time, to
35 be determined by the local law enforcement agency and the school
36 district or charter school, as applicable.

37 (2) This subdivision does not create any liability in a school
38 district, charter school, or their employees for complying with
39 paragraph (1).

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not have its schoolsite council develop and write those portions of its comprehensive school safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the schoolsite. The portions of a comprehensive school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if the representative chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, “tactical responses to criminal incidents” means steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrator or perpetrators.

(3) This subdivision does not preclude the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials pursuant to Section 54957 of the Government Code to approve a tactical response plan developed in consultation with those officials pursuant to this subdivision. Any vote to approve the tactical response plan shall be announced in open session following the closed session.

(4) This subdivision does not reduce or eliminate the requirements of Section 32282.

(g) 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” means any of the following:

(A) An act defined or described in paragraphs (2) to (4), inclusive, of subdivision (i) of Section 67381.

(B) An act for which a pupil could or would be expelled pursuant to Section 48915.

1 (C) A violent felony pursuant to subdivision (c) of Section 667.5
2 of the Penal Code.

3 (D) A serious felony pursuant to subdivision (c) of Section
4 1192.7 of the Penal Code.

5 SEC. 4. Section 32282 of the Education Code is amended to
6 read:

7 32282. (a) The comprehensive school safety plan shall include,
8 but not be limited to, all of the following:

9 (1) (A) Assessing the current status of crime committed on
10 school campuses and at school-related functions.

11 (B) When a charter school's school safety plan is next reviewed
12 and updated, or by no later than July 1, 2026, it shall include
13 assessing the current status of crime committed on the charter
14 school's campus and at school-related functions.

15 (2) Identifying appropriate strategies and programs that will
16 provide or maintain a high level of school safety and address the
17 school's procedures for complying with existing laws related to
18 school safety, which shall include the development of all of the
19 following:

20 (A) (i) Child abuse reporting procedures consistent with Article
21 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of
22 Part 4 of the Penal Code.

23 (ii) When a comprehensive school safety plan or charter school's
24 school safety plan is next reviewed and updated, or by no later
25 than July 1, 2026, procedures specifically designed to address the
26 supervision and protection of children from child abuse or sex
27 offenses.

28 (B) (i) Disaster procedures, routine and emergency, including
29 adaptations for pupils with disabilities in accordance with the
30 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.
31 12101 et seq.), the federal Individuals with Disabilities Education
32 Act (20 U.S.C. Sec. 1400 et seq.), and Section 504 of the federal
33 Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)). The disaster
34 procedures shall also include, but not be limited to, all of the
35 following:

36 (I) Establishing an earthquake emergency procedure system in
37 every public school building having an occupant capacity of 50
38 or more pupils or more than one classroom. A school district or
39 county office of education may work with the Office of Emergency
40 Services and the Alfred E. Alquist Seismic Safety Commission to

1 develop and establish the earthquake emergency procedure system.

2 The system shall include, but not be limited to, all of the following:

3 (ia) A school building disaster plan, ready for implementation
4 at any time, for maintaining the safety and care of pupils and staff.

5 The department shall provide general direction to school districts
6 and county offices of education on what to include in the school
7 building disaster plan.

8 (ib) A drop procedure whereby each pupil and staff member
9 takes cover under a table or desk, dropping to their knees, with the
10 head protected by the arms, and the back to the windows. A drop
11 procedure practice shall be held at least once a school quarter in
12 elementary schools and at least once a semester in secondary
13 schools.

14 (ic) Protective measures to be taken before, during, and
15 following an earthquake.

16 (id) A program to ensure that pupils and both the certificated
17 and classified staff are aware of, and properly trained in, the
18 earthquake emergency procedure system.

19 (II) Establishing a procedure to allow a public agency, including
20 the American Red Cross, to use school buildings, grounds, and
21 equipment for mass care and welfare shelters during disasters or
22 other emergencies affecting the public health and welfare. The
23 school district or county office of education shall cooperate with
24 the public agency in furnishing and maintaining the services as
25 the school district or county office of education may deem
26 necessary to meet the needs of the community.

27 (III) (ia) Commencing with the 2026–27 fiscal year, establishing
28 a procedure to identify appropriate refuge shelter for all pupils and
29 staff to be used in the event of an evacuation order by local
30 authorities and notify the operational area having jurisdiction within
31 the school’s boundaries of this identified refuge, in order to first
32 prioritize the safety of pupils and staff, and then the defense of
33 that structure in the event of a fire. Each public school, including
34 a charter school, serving more than 50 pupils in kindergarten or
35 any of grades 1 to 12, inclusive, that is in a high or very high fire
36 hazard severity zone, identified pursuant to Section 51178 of the
37 Government Code or Section 4204 of the Public Resources Code,
38 shall coordinate the procedure with the operational area having
39 jurisdiction within the school’s boundaries. For those schools under
40 the jurisdiction of a school district or county office of education,

1 the school district or county office of education shall be the entity
2 that coordinates with the operational area having jurisdiction within
3 each of the school's boundaries.

4 (ib) Commencing with the 2026–27 fiscal year, the development
5 by each public school, including a charter school, serving more
6 than 50 pupils in kindergarten or any of grades 1 to 12, inclusive,
7 that is in a high or very high fire hazard severity zone, identified
8 pursuant to Section 51178 of the Government Code or Section
9 4204 of the Public Resources Code, of a communication and
10 evacuation plan, to be used in the event of an early notice
11 evacuation warning, that allows enough time to evacuate all pupils
12 and staff. These plans shall clearly identify a decision process to
13 determine whether an evacuation order is appropriate.

14 (ic) For purposes of this subclause, “operational area” means
15 an intermediate level of the state emergency services organization,
16 consisting of a county and all political subdivisions within the
17 county area, that serves as a link in the system of communication
18 and coordination between the state's emergency operation centers
19 and the operating centers of the political subdivisions that make
20 up the operational area, as described in subdivision (b) of Section
21 8559 of the Government Code and Section 8605 of the Government
22 Code.

23 (ii) The evaluation of a comprehensive school safety plan
24 pursuant to subdivision (d) and the review of a school safety plan
25 pursuant to clause (iii) of subparagraph (F) of paragraph (5) of
26 subdivision (c) of Section 47605 or clause (iii) of subparagraph
27 (G) of paragraph (5) of subdivision (b) of Section 47605.6, as
28 applicable, shall include ensuring that the plan includes appropriate
29 adaptations for pupils with disabilities, as required pursuant to
30 clause (i).

31 (iii) (I) After the first evaluation or review, as applicable, for
32 purposes of subdivision (d) and clause (ii) is conducted, and after
33 each annual evaluation or review thereafter, a school employee, a
34 pupil's parent, guardian, or educational rights holder, or a pupil
35 themselves may bring concerns about an individual pupil's ability
36 to access disaster safety procedures described in the comprehensive
37 school safety plan or the school safety plan to the school principal.
38 If the school principal determines there is merit to a concern, the
39 principal shall direct the schoolsite council, school safety planning
40 committee, or charter school, as applicable, to make appropriate

1 modifications to the comprehensive school safety plan or school
2 safety plan, as applicable, during the evaluation of the
3 comprehensive school safety plan pursuant to subdivision (d) or
4 the review of the school safety plan pursuant to clause (iii) of
5 subparagraph (F) of paragraph (5) of subdivision (c) of Section
6 47605 or clause (iii) of subparagraph (G) of paragraph (5) of
7 subdivision (b) of Section 47605.6, as applicable. The school
8 principal may direct the schoolsite council, the school safety
9 planning committee, or the charter school, as applicable, to make
10 such modifications before the evaluation of the comprehensive
11 school safety plan pursuant to subdivision (d) or the review of the
12 school safety plan pursuant to clause (iii) of subparagraph (F) of
13 paragraph (5) of subdivision (c) of Section 47605 or clause (iii)
14 of subparagraph (G) of paragraph (5) of subdivision (b) of Section
15 47605.6, as applicable.

16 (II) Subclause (I) does not prohibit a school employee, a pupil's
17 parent, guardian, or educational rights holder, or a pupil themselves
18 from bringing their concerns to the school principal before an
19 evaluation or review, as applicable, for purposes of subdivision
20 (d) and clause (ii) is conducted.

21 (iv) All deliberations of the schoolsite council, school safety
22 planning committee, or charter school, as applicable, related to
23 individual pupils with disabilities for purposes of the requirements
24 of clauses (i) to (iii), inclusive, shall be subject to applicable state
25 and federal laws regarding the privacy of pupil information.

26 (C) Policies pursuant to subdivision (d) of Section 48915 for
27 pupils who committed an act listed in subdivision (c) of Section
28 48915 and other school-designated serious acts that would lead to
29 suspension, expulsion, or mandatory expulsion recommendations
30 pursuant to Article 1 (commencing with Section 48900) of Chapter
31 6 of Part 27 of Division 4 of Title 2.

32 (D) Procedures to notify teachers of dangerous pupils pursuant
33 to Section 49079.

34 (E) A discrimination and harassment policy consistent with the
35 prohibition against discrimination contained in Chapter 2
36 (commencing with Section 200) of Part 1.

37 (F) The provisions of any schoolwide dress code, pursuant to
38 Section 35183, that prohibits pupils from wearing "gang-related
39 apparel," if the school has adopted that type of a dress code. For
40 those purposes, the comprehensive school safety plan shall define

1 “gang-related apparel.” The definition shall be limited to apparel
2 that, if worn or displayed on a school campus, reasonably could
3 be determined to threaten the health and safety of the school
4 environment. A schoolwide dress code established pursuant to this
5 section and Section 35183 shall be enforced on the school campus
6 and at any school-sponsored activity by the principal of the school
7 or the person designated by the principal. For purposes of this
8 subparagraph, “gang-related apparel” shall not be considered a
9 protected form of speech pursuant to Section 48950.

10 (G) Procedures for safe ingress and egress of pupils, parents,
11 and school employees to and from school.

12 (H) A safe and orderly environment conducive to learning at
13 the school.

14 (I) The rules and procedures on school discipline adopted
15 pursuant to Sections 35291, 35291.5, 47605, and 47605.6.

16 (J) Procedures for conducting tactical responses to criminal
17 incidents, including procedures related to individuals with guns
18 on school campuses and at school-related functions. The procedures
19 to prepare for active shooters or other armed assailants shall be
20 based on the specific needs and context of each school and
21 community.

22 (K) If a comprehensive school safety plan includes procedures
23 to prepare for active shooters or other armed assailants by
24 conducting a drill, a school shall comply with all of the following
25 relating to the drill:

26 (i) (I) The school shall not conduct a high-intensity drill.

27 (II) For purposes of this clause, “high-intensity drill” means a
28 drill that includes simulations that mimic an actual school shooter
29 or other armed assailant incident, including, but not limited to,
30 theatrical makeup or other materials to give an image of blood or
31 gunshot wounds, acting by an individual posing to be the assailant,
32 acting by individuals posing as victims, or simulations that instruct
33 pupils to actively resist an assailant by throwing objects, attacking,
34 or swarming the assailant.

35 (ii) The school shall not include the use of real weapons, gunfire
36 blanks, or explosions in the conducting of the drill.

37 (iii) The school shall ensure a trauma-informed approach to the
38 design and execution of any drill, which shall include all of the
39 following:

1 (I) Age-appropriate and developmentally appropriate drill
2 content and terminology developed with the involvement of school
3 personnel, including school-based mental health professionals.

4 (II) Notice to all parents and guardians of pupils, teachers,
5 administrators, and school personnel subject to the drills in advance
6 of the drill and of the drill's expected length of time.

7 (III) The ability for parents or guardians to opt their child or
8 children out of the drills.

9 (IV) An announcement to pupils and educators immediately
10 before the start of the drills and an announcement to pupils and
11 educators immediately after the drills have concluded.

12 (V) A notice to all parents and guardians after the drill has
13 concluded.

14 (VI) The provision of contact information for community-based
15 resources, including local organizations with objectives to reduce
16 gun violence or provide mental health counseling, to parents or
17 guardians, pupils, and staff who are negatively impacted by the
18 drills, and, where available, prioritizing school-based resources.

19 (L) Procedures to assess and respond to reports of any
20 dangerous, violent, or unlawful activity that is being conducted or
21 threatened to be conducted at the school, at an activity sponsored
22 by the school, or on a schoolbus serving the school.

23 (M) (i) When a comprehensive school safety plan is next
24 reviewed and updated on or after July 1, 2025, procedures to
25 respond to incidents involving an individual experiencing a sudden
26 cardiac arrest or a similar life-threatening medical emergency while
27 on school grounds.

28 (ii) The procedures described in clause (i) are encouraged to
29 integrate evidence-based core elements, including any
30 cardiopulmonary resuscitation training offered and the placement
31 of any automated external defibrillator available on the schoolsite
32 in accordance with nationally recognized evidence-based
33 emergency cardiac care guidelines, as dictated by the school safety
34 plan.

35 (N) For schools that serve pupils in any of grades 7 to 12,
36 inclusive, a protocol in the event a pupil is suffering or is
37 reasonably believed to be suffering from an opioid overdose.

38 (3) (A) Beginning July 1, 2025, an instructional continuity plan
39 to establish communication with pupils and their families and
40 provide instruction to pupils when in-person instruction is disrupted

1 due to an emergency pursuant to Section 41422 or subdivision (a)
2 of Section 46392. The plan shall include all the following:

3 (i) Procedures for pupil engagement, as soon as practicable, and
4 no later than five calendar days following the emergency.
5 Procedures shall be designed to establish two-way communication
6 with pupils and their families and identify and provide supports
7 for pupils' social-emotional, mental health, and academic needs.

8 (ii) A plan to provide access to in-person instruction or remote
9 instruction pursuant to Sections 51747 and 51749.5, as soon as
10 practicable, but no later than 10 instructional days following the
11 emergency. The plan may include support to pupils and families
12 to enroll in or be temporarily reassigned to another school district,
13 county office of education, or charter school.

14 (B) Local educational agencies are encouraged to plan to meet
15 instructional standards that are at least equivalent to those
16 applicable to independent study programs.

17 (C) (i) For purposes of this paragraph, "temporarily reassigned"
18 means temporarily reassigned to another local educational agency
19 outside of the school district, but within the county or an
20 immediately adjacent county, in which the pupil's parent or
21 guardian resides. Notwithstanding Section 48200 or any other law,
22 a pupil who is temporarily reassigned shall be deemed to have
23 complied with the residency requirements for attendance in the
24 local educational agency that is temporarily serving the pupil
25 pursuant to this section.

26 (ii) Notwithstanding Section 48200 or any other law, a school
27 district, county office of education, or charter school may continue
28 to enroll a pupil who is temporarily reassigned to another school
29 district, county office of education, or charter school pursuant to
30 this section in order to facilitate the timely reentry of the pupil in
31 their prior school after the emergency event has ended.

32 (D) This paragraph applies to school districts, county offices of
33 education, and charter schools.

34 (b) It is the intent of the Legislature that schools develop
35 comprehensive school safety plans using existing resources,
36 including the materials and services of the partnership, pursuant
37 to this chapter. It is also the intent of the Legislature that schools
38 use the handbook developed and distributed in partnership by the
39 department's Safe Schools and Violence Prevention Center and
40 the Attorney General's Crime and Violence Prevention Center

entitled “Safe Schools: A Planning Guide for Action” in conjunction with developing their plan for school safety.

(c) Each schoolsite council or school safety planning committee, in developing and updating a comprehensive school safety plan, shall, where practical, consult, cooperate, and coordinate with other schoolsite councils or school safety planning committees.

(d) The comprehensive school safety plan may be evaluated and amended, as needed, by the school safety planning committee, but shall be evaluated at least once a year, to ensure that the comprehensive school safety plan is properly implemented. An updated file of all safety-related plans and materials shall be readily available for inspection by the public.

(e) As comprehensive school safety plans are reviewed and updated, the Legislature encourages all plans, to the extent that resources are available, to include policies and procedures aimed at the prevention of bullying.

(f) The comprehensive school safety plan, as written and updated by the schoolsite council or school safety planning committee, shall be submitted for approval pursuant to subdivision (a) of Section 32288.

(g) The department shall maintain and conspicuously post on its internet website a compliance checklist for developing a comprehensive school safety plan, and shall update the checklist when necessary.

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department’s internet website instructional continuity plan guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 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, ~~or~~ 288.2, 288.3, 288.4, subdivision (c) of Section 290, Section 311.2, 313.1, ~~528.5~~, 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

1 Statutes of 1961, or any offense defined in former subdivision (2)
2 of former Section 311 of the Penal Code repealed by Chapter 2147
3 of the Statutes of 1961, if the offense defined in those sections was
4 committed before September 15, 1961, to the same extent that an
5 offense committed before that date was a sex offense for the
6 purposes of this section before September 15, 1961.

7 (c) An offense defined in Section 314 of the Penal Code
8 committed on or after September 15, 1961.

9 (d) An offense defined in former subdivision (1) of former
10 Section 311 of the Penal Code repealed by Chapter 2147 of the
11 Statutes of 1961 committed on or after September 7, 1955, and
12 before September 15, 1961.

13 (e) An offense involving lewd and lascivious conduct under
14 Section 272 of the Penal Code committed on or after September
15 15, 1961.

16 (f) An offense involving lewd and lascivious conduct under
17 former Section 702 of the Welfare and Institutions Code repealed
18 by Chapter 1616 of the Statutes of 1961, if that offense was
19 committed before September 15, 1961, to the same extent that an
20 offense committed before that date was a sex offense for the
21 purposes of this section before September 15, 1961.

22 (g) An offense defined in Section 286 or 288a of the Penal Code
23 before the effective date of the amendment of either section enacted
24 at the 1975–76 Regular Session of the Legislature committed
25 before the effective date of the amendment.

26 (h) An attempt to commit any of the offenses specified in this
27 section.

28 (i) An offense committed or attempted in any other state or
29 against the laws of the United States that, if committed or attempted
30 in this state, would have been punishable as one or more of the
31 offenses specified in this section.

32 (j) A conviction for an offense resulting in the requirement to
33 register as a sex offender pursuant to Section 290 of the Penal
34 Code.

35 (k) Commitment as a mentally disordered sex offender under
36 former Article 1 (commencing with Section 6300) of Chapter 2
37 of Part 2 of Division 6 of the Welfare and Institutions Code, as
38 repealed by Chapter 928 of the Statutes of 1981.

39 SEC. 6. Section 44051 is added to the Education Code,
40 immediately following Section 44050, to read:

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

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

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

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

1 ~~SEC. 7. Section 44052 is added to the Education Code,~~
2 ~~immediately following Section 44051, to read:~~

3 ~~44052. (a) On or before July 1, 2027, the commission shall~~
4 ~~develop and establish a statewide data system that includes all of~~
5 ~~the following information for individuals serving in a~~
6 ~~noncertificated position for a school district, county office of~~
7 ~~education, charter school, state special school or diagnostic center~~
8 ~~operated by the department, or private school:~~

9 ~~(1) The name, date of birth, and a unique identification number~~
10 ~~of the noncertificated employee.~~

11 ~~(2) The name of the employer.~~

12 ~~(3) The starting date, ending date, if applicable, and title for~~
13 ~~each position held by the noncertificated employee.~~

14 ~~(4) The name of any employer that conducted an employee~~
15 ~~investigation for egregious misconduct, as defined in Section~~
16 ~~44932, that resulted in evidence for a substantiated report, as~~
17 ~~defined in Section 11165.12 of the Penal Code, on or after January~~
18 ~~1, 2027.~~

19 ~~(5) The date an investigation described in paragraph (4) was~~
20 ~~commenced.~~

21 ~~(6) The date a substantiated report described in paragraph (4)~~
22 ~~was filed.~~

23 ~~(b) The statewide data system established pursuant to~~
24 ~~subdivision (a) shall be accessible to all school district, county~~
25 ~~office of education, charter school, department-operated state~~
26 ~~special school and diagnostic center personnel who are responsible~~
27 ~~for employment, employee investigations, or hiring decisions.~~

28 ~~(c) Within 30 calendar days of hiring an individual for a~~
29 ~~noncertificated position, or the start of a new or additional~~
30 ~~noncertificated position, the employer shall provide the name, title,~~
31 ~~and start date of the noncertificated position held to the statewide~~
32 ~~data system established pursuant to subdivision (a).~~

33 ~~(d) Within 10 calendar days of a noncertificated employee~~
34 ~~leaving a position, the employer shall provide the final date of~~
35 ~~employment or final date in a specific noncertificated position to~~
36 ~~the statewide data system established pursuant to subdivision (a).~~

37 ~~(e) (1) Following the start of an investigation of egregious~~
38 ~~misconduct, the employer shall submit notice to the statewide data~~
39 ~~system established pursuant to subdivision (a) that an investigation~~
40 ~~was commenced.~~

~~(2) Statewide data system records shall indicate a pending status until the investigation results in a substantiated report.~~

~~(3) Only substantiated reports shall result in a record in the statewide data system indicating the employer organization and position for which the investigation was conducted. No other investigatory outcomes shall result in a permanent record in the statewide data system indicating a substantiated report.~~

~~(f) For purposes of this section, “employer” means a school district, county office of education, charter school, state special school or diagnostic center operated by the department, or private school.~~

SEC. 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 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 private school employer:

(1) The name, date of birth, and a unique identification number of the noncertificated 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 noncertificated 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, 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 the local educational agency employer or

1 private school employer shall provide to the statewide data system
2 established pursuant to subdivision (a) the name and start date of
3 the individual and the title of the noncertificated position.

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

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

16 (f) (1) Within 10 calendar days of the start of an investigation
17 of egregious misconduct, the local educational agency employer
18 or private school employer shall submit notice to the statewide
19 data system established pursuant to subdivision (a) that an
20 investigation was commenced.

21 (2) Statewide data system records shall indicate a pending status
22 from the receipt of notice pursuant to paragraph (1) until the local
23 educational agency employer or private school employer submits
24 subsequent notice pursuant to this subdivision.

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

29 (A) If an investigation of egregious misconduct results in a
30 substantiated report as defined in subdivision (b) of Section
31 11165.12 of the Penal Code, a record of the investigation result
32 shall be created in the statewide data system.

33 (B) If an investigation of egregious misconduct results in an
34 unfounded report or inconclusive report as defined in Section
35 11165.12 of the Penal Code, no record of an investigation shall
36 be created in the statewide data system.

37 (4) If a noncertificated employee leaves a local educational
38 agency employer or private school employer before the completion
39 of an investigation of egregious misconduct, the local educational
40 agency employer or private school employer shall submit notice

1 of the change in employment status mid-investigation to the
2 statewide data system to be included in the noncertificated
3 employee's record.

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

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

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

10 SEC. 8. Section 44691 of the Education Code, as added by
11 Section 2 of Chapter 814 of the Statutes of 2024, is amended to
12 read:

13 44691. (a) The State Department of Education, in consultation
14 with the Office of Child Abuse Prevention in the State Department
15 of Social Services, shall do all of the following:

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

22 (2) Provide statewide guidance on the responsibilities of
23 mandated reporters who are school personnel in accordance with
24 the Child Abuse and Neglect Reporting Act (Article 2.5
25 commencing with Section 11164) of Chapter 2 of Title 1 of Part
26 4 of the Penal Code). This guidance shall include, but not
27 necessarily be limited to, both of the following:

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

29 (B) Reporting requirements for child abuse and neglect.

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

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

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

4 (1) (A) Provide annual training, using the online training
5 module provided by the State Department of Social Services or as
6 provided in subdivision (d), to their employees and persons
7 working on their behalf who are mandated reporters, as defined
8 in Section 11165.7 of the Penal Code, pursuant to this section and
9 subdivision (d) of Section 11165.7 of the Penal Code on the
10 mandated reporting requirements. This training shall include
11 information that failure to report an incident of known or
12 reasonably suspected child abuse or neglect, as required by Section
13 11166 of the Penal Code, is a misdemeanor punishable by up to
14 six months confinement in a county jail, or by a fine of one
15 thousand dollars (\$1,000), or by both that imprisonment and fine.

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

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

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

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

36 (d) School districts, county offices of education, state special
37 schools and diagnostic centers operated by the State Department
38 of Education, and charter schools that do not use the online training
39 module provided by the State Department of Social Services shall

1 report to the State Department of Education the training being used
2 in its place.

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

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

6 SEC. 9. Section 44691 is added to the Education Code, to read:

7 44691. (a) The Superintendent, in consultation with the Office
8 of Child Abuse Prevention in the State Department of Social
9 Services, shall do all of the following:

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

17 (2) Provide statewide guidance on the responsibilities of
18 mandated reporters who are school personnel in accordance with
19 the Child Abuse and Neglect Reporting Act (Article 2.5
20 (commencing with Section 11164) of Chapter 2 of Title 1 of Part
21 4 of the Penal Code). This guidance shall include, but not
22 necessarily be limited to, both of the following:

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

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

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

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

39 (c) School districts, county offices of education, state special
40 schools and diagnostic centers operated by the State Department

1 of Education, private schools, and charter schools shall do the
2 following:

3 (1) (A) Provide annual training, using the online training
4 module provided by the State Department of Social Services or as
5 provided in subdivision (d), to their employees, volunteers, and
6 persons working on their behalf who are mandated reporters, as
7 defined in Section 11165.7 of the Penal Code, pursuant to this
8 section and subdivision (d) of Section 11165.7 of the Penal Code
9 on the mandated reporting requirements. This training shall include
10 information that failure to report an incident of known or
11 reasonably suspected child abuse or neglect, as required by Section
12 11166 of the Penal Code, is a misdemeanor punishable by up to
13 six months confinement in a county jail, or by a fine of one
14 thousand dollars (\$1,000), or by both that imprisonment and fine.

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

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

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

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

38 (d) (1) School districts, county offices of education, state special
39 schools and diagnostic centers operated by the State Department
40 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 Superintendent.

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

SEC. 10. 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~~ *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 ~~his or her~~ *their* employment thereafter.

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

(c) (1) For purposes of this ~~section~~, *a section, all of the following applies:*

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

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

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

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

32 (g) Notwithstanding subdivision (f), a person shall not be denied
33 employment or terminated from employment solely on the basis
34 that the person has been convicted of a serious felony that is not
35 also a violent felony *or sex offense* if that person can prove to the
36 sentencing court of the offense in question, by clear and convincing
37 evidence, that ~~he or she has~~ *they have* been rehabilitated for the
38 purposes of school employment for at least one year. If the offense
39 in question occurred outside this state, then the person may seek

1 a finding of rehabilitation from the court in the school district in
2 which ~~he or she is~~ *they are* a resident.

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

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

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

26 (k) This section shall not apply to a certificated employee who
27 applies to renew ~~his or her~~ *their* credential when both of the
28 following conditions have been met:

29 (1) The employee's original application for credential was
30 accompanied by that person's fingerprints.

31 (2) The employee has either been continuously employed in
32 one or more public school districts since the issuance or last
33 renewal of ~~his or her~~ *their* credential or ~~his or her~~ *their* credential
34 has not expired between renewals.

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

38 (m) This section shall not prohibit a school district from hiring
39 a certificated employee who became a permanent employee of
40 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 through 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.

~~SEC. 10.~~

SEC. 11. 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

1 judge, in which the employee prevailed, the allegations were
2 determined to be false, not credible, or unsubstantiated, or a
3 determination was made that the discipline was not warranted.

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

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

27 (3) School districts, county offices of education, charter schools,
28 state special schools and diagnostic centers operated by the
29 department, and private schools that have made a report of an
30 employee's egregious misconduct to the Commission on Teacher
31 Credentialing shall disclose this fact to a school district, county
32 office of education, charter school, state special school or
33 diagnostic center operated by the department, or private school
34 considering an application for employment from the employee,
35 upon inquiry, and, notwithstanding any other law, shall provide
36 the inquiring school district, county office of education, charter
37 school, state special school or diagnostic center operated by the
38 department, or private school with a copy of all relevant
39 information that was reported to the Commission on Teacher
40 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.

~~SEC. 11.~~

SEC. 12. 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.

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

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

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

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

15 (d) Commencing July 1, 2027, school districts, county offices
16 of education, charter schools, state special schools and diagnostic
17 centers operated by the department, and private schools shall
18 provide annual in-person instruction, using the resources,
19 information, and guidance developed and disseminated by the
20 Superintendent pursuant to subdivision (c), to all enrolled pupils.

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

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

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

36 (h) As part of satisfying the requirements of Section 51934 that
37 education be provided by instructors trained in the appropriate
38 courses, as defined in Section 51931, continuation training shall
39 be available and conducted periodically to enable school district
40 personnel to learn about new developments in the understanding

1 of abuse, including sexual abuse and assault, and human trafficking,
2 and to receive instruction on current prevention efforts and
3 methods. A school district is encouraged to include training on
4 early identification of abuse, including sexual abuse, and human
5 trafficking of pupils and other minors.

6 SEC. 12. ~~Section 288.3 of the Penal Code is amended to read:~~

7 ~~288.3. (a) Every person who contacts or communicates with~~
8 ~~a minor, or attempts to contact or communicate with a minor, who~~
9 ~~knows or reasonably should know that the person is a minor, with~~
10 ~~intent to commit an offense specified in Section 207, 209, 261,~~
11 ~~264.1, 273a, 286, 287, 288, 288.2, 289, 311.1, 311.2, 311.4 or~~
12 ~~311.11, or former Section 288a, or to otherwise commit a sex~~
13 ~~offense identified pursuant to Section 44010 of the Education~~
14 ~~Code, involving the minor shall be punished by imprisonment in~~
15 ~~the state prison for the term prescribed for an attempt to commit~~
16 ~~the intended offense.~~

17 ~~(b) As used in this section, “contacts or communicates with”~~
18 ~~shall include direct and indirect contact or communication that~~
19 ~~may be achieved personally or by use of an agent or agency, any~~
20 ~~print medium, any postal service, a common carrier or~~
21 ~~communication common carrier, any electronic communications~~
22 ~~system, or any telecommunications, wire, computer, or radio~~
23 ~~communications device or system, including, but not limited to,~~
24 ~~any social networking internet website or application.~~

25 ~~(c) A person convicted of a violation of subdivision (a) who has~~
26 ~~previously been convicted of a violation of subdivision (a) shall~~
27 ~~be punished by an additional and consecutive term of imprisonment~~
28 ~~in the state prison for five years.~~

29 SEC. 13. Section 11165.7 of the Penal Code is amended to
30 read:

31 11165.7. (a) As used in this article, “mandated reporter” is
32 defined as any of the following:

33 (1) An employee, volunteer, or governing board or body member
34 of a school district, county office of education, charter school, or
35 private school. *For purposes of this paragraph, a volunteer is a*
36 *person who is over 18 years of age and who interacts with pupils*
37 *outside of the immediate supervision and control of the pupil’s*
38 *parent or guardian or a school employee.*

39 (2) An employee, volunteer, or board member of a public or
40 private contractor to a school district, county office of education,

1 charter school, or private school whose duties require contact or
2 supervision of pupils at that school district, county office of
3 education, charter school, or private school. *For purposes of this*
4 *paragraph, a volunteer is a person who is over 18 years of age*
5 *and who interacts with pupils outside of the immediate supervision*
6 *and control of the pupil's parent or guardian or a school employee.*

7 (3) An employee or volunteer assigned to a state special school
8 or diagnostic center operated by the State Department of Education.
9 *For purposes of this paragraph, a volunteer is a person who is*
10 *over 18 years of age and who interacts with pupils outside of the*
11 *immediate supervision and control of the pupil's parent or*
12 *guardian or a school employee.*

13 (4) [Reserved]

14 (5) [Reserved]

15 (6) An administrator of a public or private day camp.

16 (7) An administrator or employee of a public or private youth
17 center, youth recreation program, or youth organization.

18 (8) An administrator, board member, or employee of a public
19 or private organization whose duties require direct contact and
20 supervision of children, including a foster family agency.

21 (9) [Reserved]

22 (10) A licensee, an administrator, or an employee of a licensed
23 community care or child daycare facility.

24 (11) A Head Start program teacher.

25 (12) A licensing worker or licensing evaluator employed by a
26 licensing agency, as defined in Section 11165.11.

27 (13) A public assistance worker.

28 (14) An employee of a childcare institution, including, but not
29 limited to, foster parents, group home personnel, and personnel of
30 residential care facilities.

31 (15) A social worker, probation officer, or parole officer.

32 (16) [Reserved]

33 (17) A person who is an administrator or presenter of, or a
34 counselor in, a child abuse prevention program in a public or
35 private school.

36 (18) A district attorney investigator, inspector, or local child
37 support agency caseworker, unless the investigator, inspector, or
38 caseworker is working with an attorney appointed pursuant to
39 Section 317 of the Welfare and Institutions Code to represent a
40 minor.

1 (19) A peace officer, as defined in Chapter 4.5 (commencing
2 with Section 830) of Title 3 of Part 2, who is not otherwise
3 described in this section.

4 (20) A firefighter, except for volunteer firefighters.

5 (21) A physician and surgeon, psychiatrist, psychologist, dentist,
6 resident, intern, podiatrist, chiropractor, licensed nurse, dental
7 hygienist, optometrist, marriage and family therapist, clinical social
8 worker, professional clinical counselor, or any other person who
9 is currently licensed under Division 2 (commencing with Section
10 500) of the Business and Professions Code.

11 (22) An emergency medical technician I or II, paramedic, or
12 other person certified pursuant to Division 2.5 (commencing with
13 Section 1797) of the Health and Safety Code.

14 (23) A psychological assistant registered pursuant to Section
15 2913 of the Business and Professions Code.

16 (24) A marriage and family therapist trainee, as defined in
17 subdivision (c) of Section 4980.03 of the Business and Professions
18 Code.

19 (25) An unlicensed associate marriage and family therapist
20 registered under Section 4980.44 of the Business and Professions
21 Code.

22 (26) A state or county public health employee who treats a minor
23 for venereal disease or any other condition.

24 (27) A coroner.

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

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

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

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

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

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

16 (32) A clergy member, as specified in subdivision (d) of Section
17 11166. As used in this article, “clergy member” means a priest,
18 minister, rabbi, religious practitioner, or similar functionary of a
19 church, temple, or recognized denomination or organization.

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

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

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

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

29 (37) A person providing services to a minor child under Section
30 12300 or 12300.1 of the Welfare and Institutions Code.

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

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

39 (40) An associate professional clinical counselor registered
40 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.

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

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

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

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

14 (48) A human resource employee of a business subject to Part
15 2.8 (commencing with Section 12900) of Division 3 of Title 2 of
16 the Government Code that employs minors. For purposes of this
17 section, a “human resource employee” is the employee or
18 employees designated by the employer to accept any complaints
19 of misconduct as required by Chapter 6 (commencing with Section
20 12940) of Part 2.8 of Division 3 of Title 2 of the Government
21 Code.

22 (49) An adult person whose duties require direct contact with
23 and supervision of minors in the performance of the minors’ duties
24 in the workplace of a business subject to Part 2.8 (commencing
25 with Section 12900) of Division 3 of Title 2 of the Government
26 Code is a mandated reporter of sexual abuse, as defined in Section
27 11165.1. Nothing in this paragraph shall be construed to modify
28 or limit the person’s duty to report known or suspected child abuse
29 or neglect when the person is acting in some other capacity that
30 would otherwise make the person a mandated reporter.

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

38 (c) (1) Except as provided in subdivision (d) and paragraph (2),
39 employers are strongly encouraged to provide their employees
40 who are mandated reporters with training in the duties imposed

1 by this article. This training shall include training in child abuse
2 and neglect identification and training in child abuse and neglect
3 reporting. Whether or not employers provide their employees with
4 training in child abuse and neglect identification and reporting,
5 the employers shall provide their employees who are mandated
6 reporters with the statement required pursuant to subdivision (a)
7 of Section 11166.5.

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

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

25 (e) (1) On and after January 1, 2018, pursuant to Section
26 1596.8662 of the Health and Safety Code, a childcare licensee
27 applicant shall take training in the duties of mandated reporters
28 under the child abuse reporting laws as a condition of licensure,
29 and a childcare administrator or an employee of a licensed child
30 daycare facility shall take training in the duties of mandated
31 reporters during the first 90 days when that administrator or
32 employee is employed by the facility.

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

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

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

8 SEC. 14. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution for certain
10 costs that may be incurred by a local agency or school district
11 because, in that regard, this act creates a new crime or infraction,
12 eliminates a crime or infraction, or changes the penalty for a crime
13 or infraction, within the meaning of Section 17556 of the
14 Government Code, or changes the definition of a crime within the
15 meaning of Section 6 of Article XIII B of the California
16 Constitution.

17 However, if the Commission on State Mandates determines that
18 this act contains other costs mandated by the state, reimbursement
19 to local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.