

AMENDED IN ASSEMBLY JULY 7, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE MAY 1, 2025

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 848

Introduced by Senator Pérez

(Principal coauthor: Assembly Member Muratsuchi)

(Coauthors: Assembly Members Addis and Lowenthal)

February 21, 2025

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

This bill would require school district and county office of education comprehensive school safety plans to instead include assessing all crime, not just school crime, committed on school campuses and at school-related functions. ~~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) purposes and~~ authorize a principal or their designee to also provide that same notification for sex offenses, 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.~~ defined.

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

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

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

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

(3) Existing law prohibits school districts, county offices of education, charter schools, and state special schools from entering into an agreement that would prevent a mandatory report of egregious misconduct, as defined, or expunging from an employee’s personnel file, or entering in an agreement that would authorize expunging from an employee’s personnel file, credible complaints of, substantiated investigations into, or discipline for, egregious misconduct. Existing law requires a school district, county office of education, charter school,

or state special school that has made a report of an employee's egregious misconduct to the commission to disclose this fact to a school district, county office of education, charter school, or state special school considering an application for employment from the employee, upon inquiry.

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

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

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

This bill would require the commission, on or before July 1, 2027, and contingent upon an appropriation for these purposes in the annual Budget Act or another statute, to develop a statewide data system that includes information relating to investigations of allegations of egregious misconduct of individuals serving in a noncertificated position for a ~~private school employer or local educational agency, as defined.~~ *defined, or in any position for a private school.* The bill would require the commission to serve only as the data administrator for records submitted

to the ~~systemwide~~ *statewide* data system and to ensure the secure operation and technical accuracy of the statewide data system. The bill would require local educational agency employers and private school employers, following both the start of, and completion of, an investigation of egregious misconduct, to submit notice to the statewide data system, as provided. The bill would require substantiated reports of egregious misconduct and employee departures from employment during investigations to be recorded in the statewide data system, and would prohibit the recording in the statewide data system of investigations of egregious misconduct that result in an unfounded or inconclusive report, as provided. The bill would require those local educational agencies and private school organizations that are responsible for employment, employee investigations, or hiring decisions to review the statewide data system to determine whether an investigation resulted in a substantiated report of egregious misconduct before hiring an individual for a ~~noncertificated~~ *an applicable* position. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would prohibit the commission from being responsible for verifying the truthfulness or legal sufficiency of the information submitted by local educational agency employers or private school employers.

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

(4) Existing law requires the commission to appoint a Committee of Credentials and requires allegations of acts or omissions for which adverse action may be taken against applicants or holders of teaching

or services credentials to be presented to the committee. Existing law authorizes the committee to commence an initial review upon the receipt of any of a list of specified documents or information.

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

(4)

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

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

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

This bill, commencing July 1, 2026, would, among other things, ~~(A) require the Superintendent, instead of the department, to undertake those activities,~~ (B) (A) require that information to additionally be developed and disseminated to private schools and school volunteers,

~~and (C)~~ *volunteers, and (B)* require that means of instruction to include school volunteers.

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

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

~~(5)~~

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

This bill would, among other things, require the Superintendent, 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 provided. The bill~~ would require the Superintendent, on or before July 1, 2026, to develop guidance on the appropriate means of instructing pupils regarding the prevention of abuse, including sexual abuse and assault, of pupils, as ~~specified. The bill would, commencing July 1, 2027, require specified, and would authorize~~ school districts, county offices of education, charter schools, state special schools and diagnostic centers operated by the department, and private schools to provide annual ~~in-person instruction, 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)~~

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

This bill would revise and recast those provisions as they relate to the educational environment to instead make (A) employees, certain volunteers, and governing board or body members of a school district, county office of education, charter school, or private school, (B) employees, certain volunteers, and board members of public and private contractors to a school district, county office of education, charter school, *state special school or diagnostic center operated by the department*, or private school whose duties require contact or supervision of pupils at that school district, county office of education, charter

school, *state special school or diagnostic center operated by the department*, or private school, and (C) employees and certain volunteers assigned to a state special school or diagnostic center operated by the State Department of Education, all mandated reporters under the act. By imposing the reporting requirements on a new class of persons, for whom failure to report specified conduct is a crime, this bill would impose a state-mandated local program.

(7)

(8) 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 education, and governing body of a charter
18 school or private school, and the department, for purposes of state

1 special schools and diagnostic centers operated by the department,
2 shall do both of the following:

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

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

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

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

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

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

28 (1) "Sex offense" has the same meaning as defined in Section
29 44010.

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

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

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

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

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

1 (D) A serious felony pursuant to subdivision (c) of Section
2 1192.7 of the Penal Code.

3 SEC. 2. Section 32280 of the Education Code is amended to
4 read:

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

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

18 (c) For the purposes of this section, law enforcement agencies
19 include local police departments, county sheriffs' offices, school
20 district police or security departments, probation departments, and
21 district attorneys' offices.

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

27 SEC. 3. Section 32281 of the Education Code is amended to
28 read:

29 32281. (a) Each school district and county office of education
30 is responsible for the overall development of all comprehensive
31 school safety plans for its schools operating kindergarten or any
32 of grades 1 to 12, inclusive.

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

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

- (A) The principal or the principal's designee.
- (B) One teacher who is a representative of the recognized certificated employee organization.
- (C) One parent whose child attends the school.
- (D) One classified employee who is a representative of the recognized classified employee organization.
- (E) Other members, if desired.

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

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

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

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

(e) (1) When a principal or their designee, ~~including the principal of a charter school or their designee,~~ *designee* verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime or sex offense on the schoolsite of an elementary or secondary school at which they are the principal, the principal or the principal's designee may 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. If the principal or their designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular workday after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime or sex offense would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of

1 time, to be determined by the local law enforcement agency and
2 the school ~~district or charter school, as applicable:~~ *district*.

3 (2) This subdivision does not create any liability in a school
4 ~~district, charter school,~~ *district* or their employees for complying
5 with paragraph (1).

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

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

25 (3) This subdivision does not preclude the governing board of
26 a school district or county office of education from conferring in
27 a closed session with law enforcement officials pursuant to Section
28 54957 of the Government Code to approve a tactical response plan
29 developed in consultation with those officials pursuant to this
30 subdivision. Any vote to approve the tactical response plan shall
31 be announced in open session following the closed session.

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

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

35 (1) “Sex offense” has the same meaning as defined in Section
36 44010.

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

40 (3) “Violent crime” means any of the following:

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

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

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

7 (D) A serious felony pursuant to subdivision (c) of Section
8 1192.7 of the Penal Code.

9 SEC. 4. Section 32282 of the Education Code is amended to
10 read:

11 32282. (a) The comprehensive school safety plan shall include,
12 but not be limited to, all of the following:

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

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

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

24 (A) (i) Child abuse reporting procedures consistent with Article
25 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of
26 Part 4 of the Penal Code.

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

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

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

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

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

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

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

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

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

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

(III) (ia) Commencing with the 2026–27 fiscal year, establishing a procedure to identify appropriate refuge shelter for all pupils and staff to be used in the event of an evacuation order by local authorities and notify the operational area having jurisdiction within the school’s boundaries of this identified refuge, in order to first prioritize the safety of pupils and staff, and then the defense of that structure in the event of a fire. Each public school, including a charter school, serving more than 50 pupils in kindergarten or any of grades 1 to 12, inclusive, that is in a high or very high fire

1 hazard severity zone, identified pursuant to Section 51178 of the
2 Government Code or Section 4204 of the Public Resources Code,
3 shall coordinate the procedure with the operational area having
4 jurisdiction within the school's boundaries. For those schools under
5 the jurisdiction of a school district or county office of education,
6 the school district or county office of education shall be the entity
7 that coordinates with the operational area having jurisdiction within
8 each of the school's boundaries.

9 (ib) Commencing with the 2026–27 fiscal year, the development
10 by each public school, including a charter school, serving more
11 than 50 pupils in kindergarten or any of grades 1 to 12, inclusive,
12 that is in a high or very high fire hazard severity zone, identified
13 pursuant to Section 51178 of the Government Code or Section
14 4204 of the Public Resources Code, of a communication and
15 evacuation plan, to be used in the event of an early notice
16 evacuation warning, that allows enough time to evacuate all pupils
17 and staff. These plans shall clearly identify a decision process to
18 determine whether an evacuation order is appropriate.

19 (ic) For purposes of this subclause, “operational area” means
20 an intermediate level of the state emergency services organization,
21 consisting of a county and all political subdivisions within the
22 county area, that serves as a link in the system of communication
23 and coordination between the state's emergency operation centers
24 and the operating centers of the political subdivisions that make
25 up the operational area, as described in subdivision (b) of Section
26 8559 of the Government Code and Section 8605 of the Government
27 Code.

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

36 (iii) (I) After the first evaluation or review, as applicable, for
37 purposes of subdivision (d) and clause (ii) is conducted, and after
38 each annual evaluation or review thereafter, a school employee, a
39 pupil's parent, guardian, or educational rights holder, or a pupil
40 themselves may bring concerns about an individual pupil's ability

1 to access disaster safety procedures described in the comprehensive
2 school safety plan or the school safety plan to the school principal.
3 If the school principal determines there is merit to a concern, the
4 principal shall direct the schoolsite council, school safety planning
5 committee, or charter school, as applicable, to make appropriate
6 modifications to the comprehensive school safety plan or school
7 safety plan, as applicable, during the evaluation of the
8 comprehensive school safety plan pursuant to subdivision (d) or
9 the review of the school safety plan pursuant to clause (iii) of
10 subparagraph (F) of paragraph (5) of subdivision (c) of Section
11 47605 or clause (iii) of subparagraph (G) of paragraph (5) of
12 subdivision (b) of Section 47605.6, as applicable. The school
13 principal may direct the schoolsite council, the school safety
14 planning committee, or the charter school, as applicable, to make
15 such modifications before the evaluation of the comprehensive
16 school safety plan pursuant to subdivision (d) or the review of the
17 school safety plan pursuant to clause (iii) of subparagraph (F) of
18 paragraph (5) of subdivision (c) of Section 47605 or clause (iii)
19 of subparagraph (G) of paragraph (5) of subdivision (b) of Section
20 47605.6, as applicable.

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

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

31 (C) Policies pursuant to subdivision (d) of Section 48915 for
32 pupils who committed an act listed in subdivision (c) of Section
33 48915 and other school-designated serious acts that would lead to
34 suspension, expulsion, or mandatory expulsion recommendations
35 pursuant to Article 1 (commencing with Section 48900) of Chapter
36 6 of Part 27 of Division 4 of Title 2.

37 (D) Procedures to notify teachers of dangerous pupils pursuant
38 to Section 49079.

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

4 (F) The provisions of any schoolwide dress code, pursuant to
5 Section 35183, that prohibits pupils from wearing “gang-related
6 apparel,” if the school has adopted that type of a dress code. For
7 those purposes, the comprehensive school safety plan shall define
8 “gang-related apparel.” The definition shall be limited to apparel
9 that, if worn or displayed on a school campus, reasonably could
10 be determined to threaten the health and safety of the school
11 environment. A schoolwide dress code established pursuant to this
12 section and Section 35183 shall be enforced on the school campus
13 and at any school-sponsored activity by the principal of the school
14 or the person designated by the principal. For purposes of this
15 subparagraph, “gang-related apparel” shall not be considered a
16 protected form of speech pursuant to Section 48950.

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

19 (H) A safe and orderly environment conducive to learning at
20 the school.

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

23 (J) Procedures for conducting tactical responses to criminal
24 incidents, including procedures related to individuals with guns
25 on school campuses and at school-related functions. The procedures
26 to prepare for active shooters or other armed assailants shall be
27 based on the specific needs and context of each school and
28 community.

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

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

34 (II) For purposes of this clause, “high-intensity drill” means a
35 drill that includes simulations that mimic an actual school shooter
36 or other armed assailant incident, including, but not limited to,
37 theatrical makeup or other materials to give an image of blood or
38 gunshot wounds, acting by an individual posing to be the assailant,
39 acting by individuals posing as victims, or simulations that instruct

pupils to actively resist an assailant by throwing objects, attacking, or swarming the assailant.

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

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

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

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

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

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

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

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

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

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

(ii) The procedures described in clause (i) are encouraged to integrate evidence-based core elements, including any cardiopulmonary resuscitation training offered and the placement of any automated external defibrillator available on the schoolsite in accordance with nationally recognized evidence-based

1 emergency cardiac care guidelines, as dictated by the school safety
2 plan.

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

6 (3) (A) Beginning July 1, 2025, an instructional continuity plan
7 to establish communication with pupils and their families and
8 provide instruction to pupils when in-person instruction is disrupted
9 due to an emergency pursuant to Section 41422 or subdivision (a)
10 of Section 46392. The plan shall include all the following:

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

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

22 (B) Local educational agencies are encouraged to plan to meet
23 instructional standards that are at least equivalent to those
24 applicable to independent study programs.

25 (C) (i) For purposes of this paragraph, "temporarily reassigned"
26 means temporarily reassigned to another local educational agency
27 outside of the school district, but within the county or an
28 immediately adjacent county, in which the pupil's parent or
29 guardian resides. Notwithstanding Section 48200 or any other law,
30 a pupil who is temporarily reassigned shall be deemed to have
31 complied with the residency requirements for attendance in the
32 local educational agency that is temporarily serving the pupil
33 pursuant to this section.

34 (ii) Notwithstanding Section 48200 or any other law, a school
35 district, county office of education, or charter school may continue
36 to enroll a pupil who is temporarily reassigned to another school
37 district, county office of education, or charter school pursuant to
38 this section in order to facilitate the timely reentry of the pupil in
39 their prior school after the emergency event has ended.

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

3 (b) It is the intent of the Legislature that schools develop
4 comprehensive school safety plans using existing resources,
5 including the materials and services of the partnership, pursuant
6 to this chapter. It is also the intent of the Legislature that schools
7 use the handbook developed and distributed in partnership by the
8 department's Safe Schools and Violence Prevention Center and
9 the Attorney General's Crime and Violence Prevention Center
10 entitled "Safe Schools: A Planning Guide for Action" in
11 conjunction with developing their plan for school safety.

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

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

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

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

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

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

39 SEC. 5. Section 44010 of the Education Code is amended to
40 read:

1 44010. “Sex offense,” as used in Sections 44020, 44237, 44346,
2 44425, 44436, 44836, and 45123, means any one or more of the
3 offenses listed below:

4 (a) An offense defined in Section 220, 261, 261.5, 288.2, 288.3,
5 288.4, subdivision (c) of Section 290, Section 311.2, 313.1, 647b,
6 subdivision (a) or (d) of Section 647, or paragraph (2) of
7 subdivision (c) of Section 647.6, of the Penal Code.

8 (b) An offense defined in former subdivision (5) of former
9 Section 647 of the Penal Code repealed by Chapter 560 of the
10 Statutes of 1961, or any offense defined in former subdivision (2)
11 of former Section 311 of the Penal Code repealed by Chapter 2147
12 of the Statutes of 1961, if the offense defined in those sections was
13 committed before September 15, 1961, to the same extent that an
14 offense committed before that date was a sex offense for the
15 purposes of this section before September 15, 1961.

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

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

22 (e) An offense involving lewd and lascivious conduct under
23 Section 272 of the Penal Code committed on or after September
24 15, 1961.

25 (f) An offense involving lewd and lascivious conduct under
26 former Section 702 of the Welfare and Institutions Code repealed
27 by Chapter 1616 of the Statutes of 1961, if that offense was
28 committed before September 15, 1961, to the same extent that an
29 offense committed before that date was a sex offense for the
30 purposes of this section before September 15, 1961.

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

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

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

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

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

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

10 44051. (a) (1) A person applying for a noncertificated position
11 at a school district, county office of education, charter school, *or*
12 state special school or diagnostic center operated by the department,
13 *or applying for any position at a private-school school*, shall
14 provide that prospective employer with a complete list of every
15 school district, county office of education, charter school, state
16 special school and diagnostic center operated by the department,
17 and private school that the applicant has previously been an
18 employee of.

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

36 (3) School districts, county offices of education, charter schools,
37 state special schools and diagnostic centers operated by the
38 department, and private schools that have made a report of an
39 employee's egregious misconduct to the Commission on Teacher
40 Credentialing shall disclose this fact to a school district, county

1 office of education, charter school, state special school or
2 diagnostic center operated by the department, or private school
3 considering an application for employment from the employee,
4 upon inquiry, and, notwithstanding any other law, shall provide
5 the inquiring school district, county office of education, charter
6 school, state special school or diagnostic center operated by the
7 department, or private school with a copy of all relevant
8 information that was reported to the Commission on Teacher
9 Credentialing, within its possession.

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

13 SEC. 7. Section 44052 is added to the Education Code,
14 immediately following Section 44051, to read:

15 44052. (a) On or before July 1, 2027, the commission shall,
16 contingent upon an appropriation for these purposes in the annual
17 Budget Act or another statute, develop a statewide data system
18 that includes all of the following information for individuals
19 serving in a noncertificated position for a local educational agency
20 or *in any position for a private school employer*:

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

23 (2) The name of the school employer.

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

26 (4) The name of any local educational agency or private school
27 employer that conducted an employee investigation for egregious
28 misconduct that resulted in evidence for a substantiated report, as
29 defined in Section 11165.12 of the Penal Code, on or after July 1,
30 2027.

31 (5) The date an investigation described in paragraph (4) was
32 commenced.

33 (6) The date a substantiated report described in paragraph (4)
34 was filed.

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

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

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

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

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

24 (f) (1) Within 10 calendar days of the start of an investigation
25 of egregious misconduct, the local educational agency employer
26 or private school employer shall submit notice to the statewide
27 data system established pursuant to subdivision (a) that an
28 investigation was commenced.

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

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

37 (A) If an investigation of egregious misconduct results in a
38 substantiated report as defined in subdivision (b) of Section
39 11165.12 of the Penal Code, a record of the investigation result
40 shall be created in the statewide data system.

1 (B) If an investigation of egregious misconduct results in an
2 unfounded report or inconclusive report as defined in Section
3 11165.12 of the Penal Code, no record of an investigation shall be
4 created in the statewide data system.

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

12 (5) *If a previously substantiated report is later determined by*
13 *the governing board or body of the local educational agency or*
14 *private school to be unfounded or inconclusive, the local*
15 *educational agency or private school shall notify the commission*
16 *within 10 days. Upon receiving the notification, the commission*
17 *shall remove the report from the statewide data system.*

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

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

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

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

31 *SEC. 8. Section 44242.5 of the Education Code is amended to*
32 *read:*

33 44242.5. (a) Each allegation of an act or omission by an
34 applicant for, or holder of, a credential for which the applicant
35 may be subject to an adverse action shall be presented to the
36 Committee of Credentials.

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

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

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

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

9 (3) (A) A statement from an employer notifying the commission
10 that, as a result of an allegation of misconduct, or while an
11 allegation of misconduct is pending, a credentialholder has been
12 dismissed, nonreelected, suspended for more than 10 days, or
13 placed pursuant to a final adverse employment action on unpaid
14 administrative leave for more than 10 days, or has resigned or
15 otherwise left employment.

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

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

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

34 (5) A notice from a school district, employer, public agency, or
35 testing administrator of a violation of Section 44420, 44421.1,
36 44421.5, or 44439.

37 (6) (A) An affirmative response on an application submitted
38 to the commission as to any conviction, adverse action on, or denial
39 of, a license, or pending investigation into a criminal allegation or

1 pending investigation of a noncriminal allegation of misconduct
2 by a governmental licensing entity.

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

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

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

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

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

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

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

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

33 (B) If the committee determines that probable cause for an
34 adverse action on the credential exists, upon receipt of a request
35 from an applicant or a credentialholder pursuant to Section
36 44244.1, the commission shall initiate an adjudicatory hearing, as
37 prescribed by Chapter 5 (commencing with Section 11500) of Part
38 1 of Division 3 of Title 2 of the Government Code, by filing an
39 accusation or statement of issues.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~SEC. 8:~~

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

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

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

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

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

(B) Reporting requirements for child abuse and neglect.

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

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

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

15 (1) (A) Provide annual training, using the online training
16 module provided by the State Department of Social Services or as
17 provided in subdivision (d), to their employees and persons
18 working on their behalf who are mandated reporters, as defined
19 in Section 11165.7 of the Penal Code, pursuant to this section and
20 subdivision (d) of Section 11165.7 of the Penal Code on the
21 mandated reporting requirements. This training shall include
22 information that failure to report an incident of known or
23 reasonably suspected child abuse or neglect, as required by Section
24 11166 of the Penal Code, is a misdemeanor punishable by up to
25 six months confinement in a county jail, or by a fine of one
26 thousand dollars (\$1,000), or by both that imprisonment and fine.

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

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

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

38 (2) Develop a process for all persons required to receive training
39 pursuant to this section to provide proof of completing the training
40 within the first six weeks of each school year or within the first

1 six weeks of that person's employment. The process developed
2 under this paragraph may include, but not necessarily be limited
3 to, the use of a sign-in sheet or the submission of a certificate of
4 completion to the applicable governing board or body of the school
5 district, county office of education, state special school and
6 diagnostic center, or charter school.

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

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

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

16 ~~SEC. 9.~~

17 *SEC. 10.* Section 44691 is added to the Education Code, to
18 read:

19 44691. (a) ~~The Superintendent,~~ *State Department of Education,*
20 in consultation with the Office of Child Abuse Prevention in the
21 State Department of Social Services, shall do all of the following:

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

29 (2) Provide statewide guidance on the responsibilities of
30 mandated reporters who are school personnel in accordance with
31 the Child Abuse and Neglect Reporting Act (Article 2.5
32 (commencing with Section 11164) of Chapter 2 of Title 1 of Part
33 4 of the Penal Code). This guidance shall include, but not
34 necessarily be limited to, both of the following:

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

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

39 (b) (1) ~~The Superintendent~~ *State Department of Education* shall
40 develop and disseminate information to all school districts, county

1 offices of education, state special schools and diagnostic centers
2 operated by the ~~State Department of Education~~, *department*, private
3 schools, and charter schools, and their school personnel and
4 volunteers in California, regarding the prevention of abuse,
5 including sexual abuse and assault, of children on school grounds,
6 by school personnel and volunteers, or in school-sponsored
7 programs.

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

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

16 (1) (A) Provide annual training, using the online training
17 module provided by the State Department of Social Services or as
18 provided in subdivision (d), to their employees, volunteers, and
19 persons working on their behalf who are mandated reporters, as
20 defined in Section 11165.7 of the Penal Code, pursuant to this
21 section and subdivision (d) of Section 11165.7 of the Penal Code
22 on the mandated reporting requirements. This training shall include
23 information that failure to report an incident of known or
24 reasonably suspected child abuse or neglect, as required by Section
25 11166 of the Penal Code, is a misdemeanor punishable by up to
26 six months confinement in a county jail, or by a fine of one
27 thousand dollars (\$1,000), or by both that imprisonment and fine.

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

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

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

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

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

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

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

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

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

~~(e)~~

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

1 ~~SEC. 10.~~

2 *SEC. 11.* Section 44830.1 of the Education Code is amended
3 to read:

4 44830.1. (a) In addition to any other prohibition or provision,
5 no person who has been convicted of a violent or serious felony,
6 or of a sex offense, shall be hired by a school district in a position
7 requiring certification qualifications or supervising positions
8 requiring certification qualifications. A school district shall not
9 retain in employment a current certificated employee who has been
10 convicted of a violent or serious felony, or of a sex offense, and
11 who is a temporary employee, a substitute employee, or a
12 probationary employee serving before March 15 of the employee's
13 second probationary year. If any conviction is reversed and the
14 formerly convicted person is acquitted of the offense in a new trial,
15 or the charges are dismissed, this section does not prohibit their
16 employment thereafter.

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

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

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

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

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

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

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

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

38 (e) When the Department of Justice ascertains that an individual
39 who is an applicant for employment by a school district has been
40 convicted of a violent or serious felony, or for purposes of

1 implementing the prohibitions set forth in Section 44836, any sex
2 offense, as defined in Section 44010, or any controlled substance
3 offense, as defined in Section 44011, the department shall notify
4 the school district of the criminal information pertaining to the
5 applicant. The notification shall be delivered by telephone or
6 electronic mail to the school district. The notification to the school
7 district shall cease to be made once the statewide electronic
8 fingerprinting network is returning responses within three working
9 days. The Department of Justice shall send by first-class mail or
10 electronic mail a copy of the criminal information to the
11 Commission on Teacher Credentialing. The Department of Justice
12 may charge a reasonable fee to cover the costs associated with
13 processing, reviewing, and supplying the criminal record summary
14 required by this section. In no event shall the fee exceed the actual
15 costs incurred by the department.

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

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

32 (h) Notwithstanding any other ~~provision of~~ law, when the
33 Department of Justice notifies a school district by telephone or
34 electronic mail that a current temporary employee, substitute
35 employee, or probationary employee serving before March 15 of
36 the employee's second probationary year, has been convicted of
37 a violent or serious felony, or of a sex offense, that employee shall
38 immediately be placed on leave without pay. When the school
39 district receives written electronic notification of the fact of
40 conviction from the Department of Justice, the employee shall be

1 terminated automatically and without regard to any other procedure
2 for termination specified in this code or school district procedures
3 unless the employee challenges the record of the Department of
4 Justice and the Department of Justice withdraws in writing its
5 notification to the school district. Upon receipt of written
6 withdrawal of notification from the Department of Justice, the
7 employee shall immediately be reinstated with full restoration of
8 salary and benefits for the period of time from the suspension
9 without pay to the reinstatement.

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

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

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

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

20 (2) The employee has either been continuously employed in
21 one or more public school districts since the issuance or last
22 renewal of their credential or their credential has not expired
23 between renewals.

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

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

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

33 (1) No recipient may disclose its contents or provide copies of
34 information.

35 (2) Information received shall be stored in a locked file separate
36 from other files, and shall only be accessible to the custodian of
37 records.

38 (3) Information received shall be destroyed upon the hiring
39 determination in accordance with subdivision (a) of Section 708
40 of Title 11 of the California Code of Regulations.

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

~~SEC. 11.~~

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

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

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

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

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

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

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

~~SEC. 12.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) The instruction shall be delivered by certificated personnel who do not otherwise have regular contact with the pupils receiving

1 the instruction and who have received training described in
2 subdivision (h).

3 (d) ~~Commencing July 1, 2027, school~~ School districts, county
4 offices of education, charter schools, state special schools and
5 diagnostic centers operated by the department, and private schools
6 ~~shall~~ may provide annual ~~in-person~~ instruction, using the resources,
7 information, and guidance developed and disseminated by the
8 Superintendent pursuant to subdivision (c), to all enrolled pupils.

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

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

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

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

34 ~~SEC. 13.~~

35 *SEC. 14.* Section 11165.7 of the Penal Code is amended to
36 read:

37 11165.7. (a) As used in this article, "mandated reporter" is
38 defined as any of the following:

39 (1) An employee, volunteer, or governing board or body member
40 of a school district, county office of education, charter school, or

1 private school. For purposes of this paragraph, a volunteer is a
2 person who is over 18 years of age and who interacts with pupils
3 outside of the immediate supervision and control of the pupil's
4 parent or guardian or a school employee.

5 (2) An employee, volunteer, or board member of a public or
6 private contractor to a school district, county office of education,
7 charter school, *state special school or diagnostic center operated*
8 *by the State Department of Education*, or private school whose
9 duties require contact or supervision of pupils at that school district,
10 county office of education, charter school, *state special school or*
11 *diagnostic center operated by the State Department of Education*,
12 or private school. For purposes of this paragraph, a volunteer is a
13 person who is over 18 years of age and who interacts with pupils
14 outside of the immediate supervision and control of the pupil's
15 parent or guardian or a school employee.

16 (3) An employee or volunteer assigned to a state special school
17 or diagnostic center operated by the State Department of Education.
18 For purposes of this paragraph, a volunteer is a person who is over
19 18 years of age and who interacts with pupils outside of the
20 immediate supervision and control of the pupil's parent or guardian
21 or a school employee.

22 (4) [Reserved]

23 (5) [Reserved]

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

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

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

30 (9) [Reserved]

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

33 (11) A Head Start program teacher.

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

36 (13) A public assistance worker.

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

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

1 (16) [Reserved]

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

5 (18) A district attorney investigator, inspector, or local child
6 support agency caseworker, unless the investigator, inspector, or
7 caseworker is working with an attorney appointed pursuant to
8 Section 317 of the Welfare and Institutions Code to represent a
9 minor.

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

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

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

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

23 (23) A psychological assistant registered pursuant to Section
24 2913 of the Business and Professions Code.

25 (24) A marriage and family therapist trainee, as defined in
26 subdivision (c) of Section 4980.03 of the Business and Professions
27 Code.

28 (25) An unlicensed associate marriage and family therapist
29 registered under Section 4980.44 of the Business and Professions
30 Code.

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

33 (27) A coroner.

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

36 (29) A commercial film and photographic print or image
37 processor as specified in subdivision (e) of Section 11166. As used
38 in this article, “commercial film and photographic print or image
39 processor” means a person who develops exposed photographic
40 film into negatives, slides, or prints, or who makes prints from

negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.

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

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

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

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

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

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

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

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

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

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

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

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

9 (40) An associate professional clinical counselor registered
10 under Section 4999.42 of the Business and Professions Code.

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

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

25 (43) (A) A commercial computer technician as specified in
26 subdivision (e) of Section 11166. As used in this article,
27 “commercial computer technician” means a person who works for
28 a company that is in the business of repairing, installing, or
29 otherwise servicing a computer or computer component, including,
30 but not limited to, a computer part, device, memory storage or
31 recording mechanism, auxiliary storage recording or memory
32 capacity, or any other material relating to the operation and
33 maintenance of a computer or computer network system, for a fee.
34 An employer who provides an electronic communications service
35 or a remote computing service to the public shall be deemed to
36 comply with this article if that employer complies with Section
37 2258A of Title 18 of the United States Code.

38 (B) An employer of a commercial computer technician may
39 implement internal procedures for facilitating reporting consistent
40 with this article. These procedures may direct employees who are

1 mandated reporters under this paragraph to report materials
2 described in subdivision (e) of Section 11166 to an employee who
3 is designated by the employer to receive the reports. An employee
4 who is designated to receive reports under this subparagraph shall
5 be a commercial computer technician for purposes of this article.
6 A commercial computer technician who makes a report to the
7 designated employee pursuant to this subparagraph shall be deemed
8 to have complied with the requirements of this article and shall be
9 subject to the protections afforded to mandated reporters, including,
10 but not limited to, those protections afforded by Section 11172.

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

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

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

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

24 (48) A human resource employee of a business subject to Part
25 2.8 (commencing with Section 12900) of Division 3 of Title 2 of
26 the Government Code that employs minors. For purposes of this
27 section, a “human resource employee” is the employee or
28 employees designated by the employer to accept any complaints
29 of misconduct as required by Chapter 6 (commencing with Section
30 12940) of Part 2.8 of Division 3 of Title 2 of the Government
31 Code.

32 (49) An adult person whose duties require direct contact with
33 and supervision of minors in the performance of the minors’ duties
34 in the workplace of a business subject to Part 2.8 (commencing
35 with Section 12900) of Division 3 of Title 2 of the Government
36 Code is a mandated reporter of sexual abuse, as defined in Section
37 11165.1. Nothing in this paragraph shall be construed to modify
38 or limit the person’s duty to report known or suspected child abuse
39 or neglect when the person is acting in some other capacity that
40 would otherwise make the person a mandated reporter.

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

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

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

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

35 (e) (1) On and after January 1, 2018, pursuant to Section
36 1596.8662 of the Health and Safety Code, a childcare licensee
37 applicant shall take training in the duties of mandated reporters
38 under the child abuse reporting laws as a condition of licensure,
39 and a childcare administrator or an employee of a licensed child
40 daycare facility shall take training in the duties of mandated

1 reporters during the first 90 days when that administrator or
2 employee is employed by the facility.

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

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

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

17 ~~SEC. 14.~~

18 *SEC. 15.* No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution for certain
20 costs that may be incurred by a local agency or school district
21 because, in that regard, this act creates a new crime or infraction,
22 eliminates a crime or infraction, or changes the penalty for a crime
23 or infraction, within the meaning of Section 17556 of the
24 Government Code, or changes the definition of a crime within the
25 meaning of Section 6 of Article XIII B of the California
26 Constitution.

27 However, if the Commission on State Mandates determines that
28 this act contains other costs mandated by the state, reimbursement
29 to local agencies and school districts for those costs shall be made
30 pursuant to Part 7 (commencing with Section 17500) of Division
31 4 of Title 2 of the Government Code.