

**ASSEMBLY BILL**

**No. 1432**

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**Introduced by Assembly Member Gatto**

January 6, 2014

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An act to add Section 44692 to the Education Code, relating to school employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1432, as introduced, Gatto. School employees: child abuse: reporting.

Existing law requires the Office of Child Abuse Prevention to develop and disseminate information to all school districts and district school personnel regarding the detection of child abuse. Existing law, the Child Abuse and Neglect Reporting Act, requires mandated reporters, which includes teachers, to make a report if the person has knowledge of or observes a child whom the person knows or reasonably suspects has been the victim of child abuse or neglect.

This bill would require the Department of Education, in conjunction with the Department of Justice and the Office of Child Abuse Prevention in the State Department of Social Services, to adopt a policy on the reporting requirements for child abuse and the responsibilities of mandated reporters in accordance with the Child Abuse and Neglect Reporting Act. The bill would require school personnel to annually review these mandated reporting requirements using an online format, as specified. The bill would require school personnel to submit proof of completing the review to the applicable governing board or body of this school district, county office of education, or charters school within the first 6 weeks of each school year. By expanding the duties of school

districts, county offices of education, and charter schools, the bill would impose a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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. Section 44692 is added to the Education Code,  
2 to read:

3 44692. (a) The Department of Education shall, in consultation  
4 with the Department of Justice and the Office of Child Abuse  
5 Prevention in the State Department of Social Services, adopt a  
6 policy on the reporting requirements for child abuse and the  
7 responsibilities of mandated reporters in accordance with the Child  
8 Abuse and Neglect Reporting Act (Article 2.5 (commencing with  
9 Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code).

10 (b) All school personnel shall annually review the mandated  
11 reporting requirements described in subdivision (a) by using an  
12 online format established by the Department of Education.

13 (c) All school personnel shall submit proof of completing the  
14 review required pursuant to subdivision (b) to the applicable  
15 governing board or body of the school district, county office of  
16 education, or charter school within the first six weeks of each  
17 school year.

18 SEC. 2. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.

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