

ASSEMBLY BILL

No. 1058

**Introduced by Assembly Member Baker
(Principal coauthor: Assembly Member Gatto)**

February 26, 2015

An act to amend Section 44691 of the Education Code, relating to pupil safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1058, as introduced, Baker. Pupil safety: child abuse prevention: training.

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 take certain actions relating to the detection and reporting of child abuse, including, among other things, developing and disseminating information to local educational agencies, as specified, and state special schools and diagnostic centers regarding the detection and reporting of child abuse.

This bill would require the State Department of Education to establish guidelines and best practices regarding child abuse prevention, and to post on its Internet Web site links to existing training resources. The bill would also encourage local educational agencies, as specified, and state special schools and diagnostic centers to participate in child abuse prevention training and to require school employees to receive training in child abuse prevention at least once every 3 years.

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

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

1 SECTION 1. Section 44691 of the Education Code is amended
2 to read:

3 44691. (a) The State Department of Education, in consultation
4 with the Office of Child Abuse Prevention in the State Department
5 of Social Services, shall do all of the following:

6 (1) Develop and disseminate information to all school districts,
7 county offices of education, state special schools and diagnostic
8 centers operated by the State Department of Education, and charter
9 schools, and their school personnel in California, regarding the
10 detection and reporting of child abuse.

11 (2) Provide statewide guidance on the responsibilities of
12 mandated reporters who are school personnel in accordance with
13 the Child Abuse and Neglect Reporting Act (Article 2.5
14 commencing with Section 11164) of Chapter 2 of Title 1 of Part
15 4 of the Penal Code). This guidance shall include, but not
16 necessarily be limited to, both of the following:

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

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

19 (3) Develop appropriate means of instructing school personnel
20 in the detection of child abuse and neglect and the proper action
21 that school personnel should take in suspected cases of child abuse
22 and neglect, including, but not limited to, an online training module
23 to be provided by the State Department of Social Services.

24 (4) *Establish guidelines and best practices for child abuse*
25 *prevention, and post on the department’s Internet Web site links*
26 *to existing training resources.*

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

30 (1) ~~Except as provided in subdivision (c), provide~~ *Provide*
31 *annual training, using the online training module provided by the*
32 *State Department of Social Services, Services or as provided in*
33 *subdivision (c), to their employees and persons working on their*
34 *behalf who are mandated reporters, as defined in Section 11165.7*
35 *of the Penal Code, pursuant to this section and subdivision (d) of*
36 *Section 11165.7 of the Penal Code on the mandated reporting*
37 *requirements. Mandated reporter training shall be provided to*
38 *school personnel hired during the course of the school year. This*

1 training shall include information that failure to report an incident
2 of known or reasonably suspected child abuse or neglect, as
3 required by Section 11166 of the Penal Code, is a misdemeanor
4 punishable by up to six months confinement in a county jail, or
5 by a fine of one thousand dollars (\$1,000), or by both that
6 imprisonment and fine.

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

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

22 (d) *School districts, county offices of education, state special*
23 *schools and diagnostic centers operated by the State Department*
24 *of Education, and charter schools are encouraged to participate*
25 *in child abuse prevention training and to require that all school*
26 *employees receive training in child abuse prevention at least once*
27 *every three years.*