

AMENDED IN ASSEMBLY APRIL 20, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1058**

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

February 26, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1058, as amended, 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~~ *also encourage them to provide* school employees ~~to receive~~ *with* 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) Provide annual training, using the online training module  
31 provided by the State Department of Social Services or as provided  
32 in subdivision (c), to their employees and persons working on their  
33 behalf who are mandated reporters, as defined in Section 11165.7  
34 of the Penal Code, pursuant to this section and subdivision (d) of  
35 Section 11165.7 of the Penal Code on the mandated reporting  
36 requirements. Mandated reporter training shall be provided to  
37 school personnel hired during the course of the school year. This  
38 training shall include information that failure to report an incident

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

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

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

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