

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE JUNE 10, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1207

Introduced by Assembly Member Lopez
(Coauthors: Senators Anderson and Hancock)

February 27, 2015

An act to amend Section 1596.866 of, and to add Section 1596.8662 to, the Health and Safety Code, and to amend Section 11165.7 of the Penal Code, relating to child abuse reporting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1207, as amended, Lopez. Mandated child abuse reporting: child day care personnel: training.

Under existing law, the California Child Day Care Facilities Act, the State Department of Social Services licenses and regulates child day care facilities, as defined. The act requires that, as a condition of licensure and in addition to any other required training, at least one director or teacher at each day care center, and each family day care home licensee who provides care, have at least 15 hours of health and safety training, covering specified components, including preventative health practices courses, that may include identification and reporting of signs and symptoms of child abuse. A willful or repeated violation of the act is a misdemeanor punishable by a fine not to exceed \$1,000 or by imprisonment in county jail for a period not to exceed 180 days, or by both the fine and imprisonment, and a serious violation of the act is subject to daily civil penalties, as specified.

The Child Abuse and Neglect Reporting Act requires a mandated reporter, including a licensee, an administrator, or an employee of a licensed child day care facility, to report whenever he or she, in his or her professional capacity, has knowledge of or observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect.

This bill would, beginning January 1, ~~2017~~, 2018, require the department to develop and disseminate information to providers, administrators, and employees of licensed child day care facilities regarding detecting and reporting child abuse, and to provide *training including statewide instruction guidance* on the responsibilities of those persons as mandated reporters, as provided. ~~The Beginning January 1, 2018, the bill would require those persons, as a condition of licensure, to complete that training pertaining to these matters, as provided. provided by the department, as specified.~~ Under the bill, a violation of its provisions would not be a misdemeanor or subject to civil fines as a serious violation under the California Child Day Care Facilities Act. Instead, the bill would authorize the department to revoke a facility’s license if the facility fails to correct a violation of the bill’s provisions within 90 days of receipt of a notice of deficiency from the department, as provided. The bill would make conforming changes.

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 1596.866 of the Health and Safety Code
- 2 is amended to read:
- 3 1596.866. (a) (1) In addition to other required training, at
- 4 least one director or teacher at each day care center, and each
- 5 family day care home licensee who provides care, shall have at
- 6 least 15 hours of health and safety training, and if applicable, at
- 7 least one additional hour of training pursuant to clause (ii) of
- 8 subparagraph (C) of paragraph (2).
- 9 (2) The training shall include the following components:
- 10 (A) Pediatric first aid.
- 11 (B) Pediatric cardiopulmonary resuscitation (CPR).
- 12 (C) (i) A preventive health practices course or courses that
- 13 include instruction in the recognition, management, and prevention

1 of infectious diseases, including immunizations, and prevention
2 of childhood injuries.

3 (ii) For licenses issued on or after January 1, 2016, at least one
4 director or teacher at each day care center, and each family day
5 care home licensee who provides care, shall have at least one hour
6 of childhood nutrition training as part of the preventive health
7 practices course or courses.

8 (3) The training may include instruction in sanitary food
9 handling, emergency preparedness and evacuation, and caring for
10 children with special needs.

11 (b) Day care center directors and licensees of family day care
12 homes shall ensure that at least one staff member who has a current
13 course completion card in pediatric first aid and pediatric CPR
14 issued by the American Red Cross, the American Heart
15 Association, or by a training program that has been approved by
16 the Emergency Medical Services Authority pursuant to this section
17 and Section 1797.191 shall be onsite at all times when children
18 are present at the facility, and shall be present with the children
19 when children are offsite from the facility for facility activities.
20 Nothing in this subdivision shall be construed to require, in the
21 event of an emergency, additional staff members, who are onsite
22 when children are present at the facility, to have a current course
23 completion card in pediatric first aid and pediatric CPR.

24 (c) (1) The completion of health and safety training by all
25 personnel and licensees described in subdivision (a) shall be a
26 condition of licensure.

27 (2) Training in pediatric first aid and pediatric CPR by persons
28 described in subdivisions (a) and (b) shall be current at all times.
29 Training in preventive health practices as described in subparagraph
30 (C) of paragraph (2) of subdivision (a) is a one-time only
31 requirement for persons described in subdivision (a).

32 (3) The department shall issue a provisional license for otherwise
33 qualified applicants who are not in compliance with this section.
34 This provisional license shall expire 90 days after the date of
35 issuance and shall not be extended.

36 (4) A notice of deficiency shall be issued by the department at
37 the time of a site visit to any licensee who is not in compliance
38 with this section. The licensee shall, at the time the notice is issued,
39 develop a plan of correction to correct the deficiency within 90
40 days of receiving the notice. The facility's license may be revoked

1 if it fails to correct the deficiency within the 90-day period. Section
2 1596.890 shall not apply to this paragraph.

3 (d) Completion of the training required pursuant to subdivisions
4 (a) and (b) shall be demonstrated, upon request of the licensing
5 agency, by the following:

6 (1) Current pediatric first aid and pediatric CPR course
7 completion cards issued by the American Red Cross, the American
8 Heart Association, or by a training program approved by the
9 Emergency Medical Services Authority pursuant to Section
10 1797.191.

11 (2) (A) A course completion card for a preventive health
12 practices course or courses as described in subparagraph (C) of
13 paragraph (2) of subdivision (a) issued by a training program
14 approved by the Emergency Medical Services Authority pursuant
15 to Section 1797.191.

16 (B) Persons who, prior to the date on which the amendments to
17 this section enacted in 1998 become operative, have completed a
18 course or courses in preventive health practices as described in
19 clause (i) of subparagraph (C) of paragraph (2) of subdivision (a),
20 and have a certificate of completion of a course or courses in
21 preventive health practices, or certified copies of transcripts that
22 identify the number of hours and the specific course or courses
23 taken for training in preventive health practices, shall be deemed
24 to have met the training in preventive health practices.

25 (3) In addition to training programs specified in paragraphs (1)
26 and (2), training programs or courses in pediatric first aid, pediatric
27 CPR, and preventive health practices offered or approved by an
28 accredited college or university are considered to be approved
29 sources of training that may be used to satisfy the training
30 requirements of paragraph (2) of subdivision (a). Completion of
31 this training shall be demonstrated to the licensing agency by a
32 certificate of course completion, course completion cards, or
33 certified copies of transcripts that identify the number of hours
34 and the specified course or courses taken for the training as defined
35 in paragraph (2) of subdivision (a).

36 (e) The training required under subdivision (a) shall not be
37 provided by a home study course. This training may be provided
38 through in-service training, workshops, or classes.

39 (f) All personnel and licensees described in subdivisions (a) and
40 (b) shall maintain current course completion cards for pediatric

1 first aid and pediatric CPR issued by the American Red Cross, the
2 American Heart Association, or by a training program approved
3 by the Emergency Medical Services Authority pursuant to Section
4 1797.191, or shall have current certification in pediatric first aid
5 and pediatric CPR from an accredited college or university in
6 accordance with paragraph (3) of subdivision (d).

7 (g) The department shall have the authority to grant exceptions
8 to the requirements imposed by this section in order to meet the
9 requirements of the Americans with Disabilities Act of 1990 (42
10 U.S.C. Sec. 12101 et seq.).

11 (h) The department shall adopt regulations to implement this
12 section.

13 SEC. 2. Section 1596.8662 is added to the Health and Safety
14 Code, to read:

15 1596.8662. (a) ~~The Office of Child Abuse Prevention and the~~
16 ~~Community Care Licensing Division within the department, in~~
17 ~~consultation, department~~ shall do all of the following:

18 (1) ~~Develop and disseminate~~ *Make information available* to all
19 *licensed child day care* providers, administrators, and employees
20 of licensed child day care facilities regarding detecting and
21 reporting child abuse and neglect.

22 (2) Provide *training including statewide instruction guidance*
23 on the responsibilities of a mandated reporter who is a ~~provider,~~
24 *licensed day care provider or an applicant for that license,*
25 administrator, or employee of a licensed child day care facility in
26 accordance with the Child Abuse and Neglect Reporting Act
27 (Article 2.5 (commencing with Section 11164) of Chapter 2 of
28 Title 1 of Part 4 of the Penal Code). ~~The Office of Child Abuse~~
29 ~~Prevention department~~ shall provide the *instruction guidance* using
30 its ~~free online General Training Module and Child Care~~
31 ~~Professionals Training Module of the Child Abuse Mandated~~
32 ~~Reporter Training-California project module or modules~~ provided
33 on the State Department of Social Services Internet Web site or
34 as otherwise specified by the department. This *instruction guidance*
35 content shall include, but is not necessarily limited to, all of the
36 following:

37 (A) Information on the identification of child abuse and neglect,
38 including behavioral signs ~~or of~~ abuse and neglect.

39 ~~(B) When to call for emergency medical attention to prevent~~
40 ~~further injury or death.~~

1 ~~(C)~~
 2 (B) Reporting requirements for child abuse and neglect,
 3 including guidelines on how to make a suspected child abuse report
 4 when suspected abuse or neglect takes place outside a child day
 5 care facility, or within a child day care facility, and to which
 6 enforcement agency or agencies a report is required to be made.

7 ~~(D)~~
 8 (C) Information that failure to report an incident of known or
 9 reasonably suspected child abuse or neglect, as required by Section
 10 11166 of the Penal Code, is a misdemeanor punishable by up to
 11 six months confinement in a county jail, or by a fine of one
 12 thousand dollars (\$1,000), or by both that imprisonment and fine.

13 ~~(E) Information on protective factors that may help prevent~~
 14 ~~abuse, including dangers of shaking a child, safe sleep practices,~~
 15 ~~psychological effects of repeated exposure to domestic violence,~~
 16 ~~safe and age-appropriate forms of discipline, how to promote a~~
 17 ~~child’s social and emotional health, and how to support positive~~
 18 ~~parent-child relationships.~~

19 ~~(F) Information on recognizing risk factors that may lead to~~
 20 ~~abuse, such as stress and social isolation, and available resources~~
 21 ~~to which a family may be referred to help prevent child abuse and~~
 22 ~~neglect.~~

23 (D) *Information that mandated reporting duties are individual*
 24 *and no supervisor or administrator may impede or inhibit reporting*
 25 *duties, and no person making a report shall be subject to any*
 26 *sanction for making the report, pursuant to paragraph (1) of*
 27 *subdivision (i) of Section 11166 of the Penal Code. A supervisor*
 28 *or administrator who impedes or inhibits the duties of a mandated*
 29 *reporter shall be subject to punishment pursuant to Section*
 30 *11166.01 of the Penal Code.*

31 ~~(G)~~
 32 (E) Information on childhood stages of development in order
 33 to help distinguish whether a child’s behavior or physical
 34 symptoms are within range for his or her age and ability, or are
 35 signs of abuse or neglect.

36 ~~(H) Best practices on how a provider, administrator, or employee~~
 37 ~~of a licensed child day care facility might communicate with a~~
 38 ~~family before and after making a suspected child abuse report.~~

39 ~~(3) Translate information and instruction materials described~~
 40 ~~in this subdivision into non-English languages spoken by a~~

1 ~~substantial number of child care providers, administrators, and~~
2 ~~employees of licensed child day care facilities subject to and~~
3 ~~defined by the~~

4 (3) *The department shall provide training, including information*
5 *about child safety and maltreatment prevention using its free*
6 *training module or modules specified in paragraph (2), or as*
7 *otherwise specified by the department. This information shall*
8 *include, but is not necessarily limited to, all of the following:*

9 (A) *Information on protective factors that may help prevent*
10 *abuse, including dangers of shaking a child, safe sleep practices,*
11 *psychological effects of repeated exposure to domestic violence,*
12 *safe and age-appropriate forms of discipline, how to promote a*
13 *child's social and emotional health, and how to support positive*
14 *parent-child relationships.*

15 (B) *Information on recognizing risk factors that may lead to*
16 *abuse, such as stress and social isolation, and available resources*
17 *to which a family may be referred to help prevent child abuse and*
18 *neglect.*

19 (C) *When to call for emergency medical attention to prevent*
20 *further injury or death.*

21 (D) *Information on how a licensed child care provider,*
22 *administrator, or employee of a licensed child day care facility*
23 *might communicate with a family before and after making a*
24 *suspected child abuse report.*

25 (4) *The department shall comply with the Dymally-Alatorre*
26 *Bilingual Services Act of 1973 (Chapter 17.5 (commencing with*
27 *Section 7290) of the Government-Code). Code), which includes,*
28 *among alternative communication options, providing the same*
29 *type of training materials in any non-English language spoken by*
30 *a substantial number of members of the public whom the*
31 *department serves.*

32 (b) (1) ~~On or before March 30, 2017, 2018, a person who, on~~
33 ~~January 1, 2017, 2018, is a licensed child care provider,~~
34 ~~administrator, or employee of a licensed child day care facility~~
35 ~~shall complete the mandated reporter training provided pursuant~~
36 ~~to this subdivision, paragraphs (2) and (3) of subdivision (a), and~~
37 ~~shall complete renewal mandated reporter training every three two~~
38 ~~years following the date on which he or she completed the initial~~
39 ~~mandated reporter training.~~

1 (2) On and after January 1, ~~2017, 2018~~, a person who applies
2 for a license to be a provider of a child day care facility shall
3 complete ~~mandatory~~ *the mandated* reporter training *provided*
4 pursuant to ~~this paragraphs (2) and (3) of~~ subdivision (a) as a
5 precondition to licensure and shall complete renewal mandatory
6 reporter training every ~~three~~ *two* years following the date on which
7 he or she completed the initial mandatory reporter training.

8 (3) On and after January 1, ~~2017, 2018~~, a person who becomes
9 an administrator or employee of a licensed child day care facility
10 shall complete ~~mandatory~~ *the mandated* reporter training *provided*
11 pursuant to ~~this paragraphs (2) and (3) of~~ subdivision (a) within
12 the first 90 days that he or she is employed at the facility and shall
13 complete renewal ~~mandatory~~ *mandated* reporter training every
14 ~~three~~ *two* years following the date on which he or she completed
15 the initial ~~mandatory~~ *mandated* reporter training.

16 (4) ~~A provider of~~ *The licensee of* a licensed child day care
17 facility shall obtain proof from an administrator or employee of
18 the facility that the person has completed mandatory reporter
19 training in compliance with this subdivision.

20 ~~(5) Training pursuant to this subdivision shall include~~
21 ~~information that failure to report an incident of known or~~
22 ~~reasonably suspected child abuse or neglect, as required by Section~~
23 ~~11166 of the Penal Code, is a misdemeanor punishable by up to~~
24 ~~six months confinement in a county jail, or by a fine of one~~
25 ~~thousand dollars (\$1,000), or by both that imprisonment and fine.~~

26 ~~(6) (A) A person taking training pursuant to this subdivision~~
27 ~~shall complete the training using the online training module~~
28 ~~provided by the Office of Child Abuse Prevention.~~

29 ~~(B)~~

30 (5) A *licensed child day care* provider, administrator, or
31 employee of a licensed child day care facility who does not use
32 the online training module provided by the department shall report
33 to, and obtain approval from, the department regarding the training
34 that person shall use in lieu of the online training module.

35 (c) Current proof of completion for each *licensed* child care
36 ~~provider, provider or applicant for that license~~, administrator, and
37 employee of a licensed child day care ~~facility, facility~~ shall be
38 submitted to the department upon inspection of the child day care
39 facility, ~~when proof of other required training is submitted to the~~
40 ~~department, or upon request by the department.~~

1 (d) (1) ~~(A)~~—The department shall issue a notice of deficiency
2 at the time of a site visit to ~~a provider~~ *the licensee* of a licensed
3 child day care facility who is not in compliance with this section.
4 ~~The provider shall, at the time the notice is issued, develop a plan~~
5 ~~of correction to correct the deficiency within 90 days of receiving~~
6 ~~the notice. The department may revoke the facility’s license if the~~
7 ~~facility fails to correct the deficiency within the 90-day period.~~
8 *The licensee shall, at the time the department issues the notice of*
9 *deficiency, develop a plan to correct the deficiency within 45 days.*

10 ~~(B)~~
11 (2) A deficiency under this subdivision is not subject to Section
12 ~~1596.890 and is not a serious violation for purposes of subdivision~~
13 ~~(c) of Section 1596.99 or subdivision (c) of Section 1597.58.~~
14 *1596.890.*

15 ~~(e) A provider,~~*A licensed child care provider or applicant for*
16 *that license, an administrator, or employee of a licensed child care*
17 *facility is exempt from the detecting and reporting child abuse*
18 *training if he or she has limited English proficiency and training*
19 *is not made available in his or her primary language.*

20 ~~(f) The department shall adopt regulations to implement this~~
21 ~~section.~~

22 ~~(g)~~
23 *(f) This section shall become operative on January 1, 2017.*
24 *2018.*

25 SEC. 3. Section 11165.7 of the Penal Code is amended to read:
26 11165.7. (a) As used in this article, “mandated reporter” is
27 defined as any of the following:

- 28 (1) A teacher.
- 29 (2) An instructional aide.
- 30 (3) A teacher’s aide or teacher’s assistant employed by a public
31 or private school.
- 32 (4) A classified employee of a public school.
- 33 (5) An administrative officer or supervisor of child welfare and
34 attendance, or a certificated pupil personnel employee of a public
35 or private school.
- 36 (6) An administrator of a public or private day camp.
- 37 (7) An administrator or employee of a public or private youth
38 center, youth recreation program, or youth organization.

- 1 (8) An administrator or employee of a public or private
2 organization whose duties require direct contact and supervision
3 of children.
- 4 (9) An employee of a county office of education or the State
5 Department of Education whose duties bring the employee into
6 contact with children on a regular basis.
- 7 (10) A licensee, an administrator, or an employee of a licensed
8 community care or child day care facility.
- 9 (11) A Head Start program teacher.
- 10 (12) A licensing worker or licensing evaluator employed by a
11 licensing agency, as defined in Section 11165.11.
- 12 (13) A public assistance worker.
- 13 (14) An employee of a child care institution, including, but not
14 limited to, foster parents, group home personnel, and personnel of
15 residential care facilities.
- 16 (15) A social worker, probation officer, or parole officer.
- 17 (16) An employee of a school district police or security
18 department.
- 19 (17) A person who is an administrator or presenter of, or a
20 counselor in, a child abuse prevention program in a public or
21 private school.
- 22 (18) A district attorney investigator, inspector, or local child
23 support agency caseworker, unless the investigator, inspector, or
24 caseworker is working with an attorney appointed pursuant to
25 Section 317 of the Welfare and Institutions Code to represent a
26 minor.
- 27 (19) A peace officer, as defined in Chapter 4.5 (commencing
28 with Section 830) of Title 3 of Part 2, who is not otherwise
29 described in this section.
- 30 (20) A firefighter, except for volunteer firefighters.
- 31 (21) A physician and surgeon, psychiatrist, psychologist, dentist,
32 resident, intern, podiatrist, chiropractor, licensed nurse, dental
33 hygienist, optometrist, marriage and family therapist, clinical social
34 worker, professional clinical counselor, or any other person who
35 is currently licensed under Division 2 (commencing with Section
36 500) of the Business and Professions Code.
- 37 (22) An emergency medical technician I or II, paramedic, or
38 other person certified pursuant to Division 2.5 (commencing with
39 Section 1797) of the Health and Safety Code.

1 (23) A psychological assistant registered pursuant to Section
2 2913 of the Business and Professions Code.

3 (24) A marriage and family therapist trainee, as defined in
4 subdivision (c) of Section 4980.03 of the Business and Professions
5 Code.

6 (25) An unlicensed marriage and family therapist intern
7 registered under Section 4980.44 of the Business and Professions
8 Code.

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

11 (27) A coroner.

12 (28) A medical examiner or other person who performs
13 autopsies.

14 (29) A commercial film and photographic print or image
15 processor as specified in subdivision (e) of Section 11166. As used
16 in this article, “commercial film and photographic print or image
17 processor” means a person who develops exposed photographic
18 film into negatives, slides, or prints, or who makes prints from
19 negatives or slides, or who prepares, publishes, produces, develops,
20 duplicates, or prints any representation of information, data, or an
21 image, including, but not limited to, any film, filmstrip, photograph,
22 negative, slide, photocopy, videotape, video laser disc, computer
23 hardware, computer software, computer floppy disk, data storage
24 medium, CD-ROM, computer-generated equipment, or
25 computer-generated image, for compensation. The term includes
26 any employee of that person; it does not include a person who
27 develops film or makes prints or images for a public agency.

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

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

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

39 (B) “Humane society officer” means a person appointed or
40 employed by a public or private entity as a humane officer who is

1 qualified pursuant to Section 14502 or 14503 of the Corporations
2 Code.

3 (32) A clergy member, as specified in subdivision (d) of Section
4 11166. As used in this article, “clergy member” means a priest,
5 minister, rabbi, religious practitioner, or similar functionary of a
6 church, temple, or recognized denomination or organization.

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

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

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

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

16 (37) A person providing services to a minor child under Section
17 12300 or 12300.1 of the Welfare and Institutions Code.

18 (38) An alcohol and drug counselor. As used in this article, an
19 “alcohol and drug counselor” is a person providing counseling,
20 therapy, or other clinical services for a state licensed or certified
21 drug, alcohol, or drug and alcohol treatment program. However,
22 alcohol or drug abuse, or both alcohol and drug abuse, is not, in
23 and of itself, a sufficient basis for reporting child abuse or neglect.

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

26 (40) A clinical counselor intern registered under Section 4999.42
27 of the Business and Professions Code.

28 (41) An employee or administrator of a public or private
29 postsecondary educational institution, whose duties bring the
30 administrator or employee into contact with children on a regular
31 basis, or who supervises those whose duties bring the administrator
32 or employee into contact with children on a regular basis, as to
33 child abuse or neglect occurring on that institution’s premises or
34 at an official activity of, or program conducted by, the institution.
35 Nothing in this paragraph shall be construed as altering the
36 lawyer-client privilege as set forth in Article 3 (commencing with
37 Section 950) of Chapter 4 of Division 8 of the Evidence Code.

38 (42) An athletic coach, athletic administrator, or athletic director
39 employed by any public or private school that provides any

1 combination of instruction for kindergarten, or grades 1 to 12,
2 inclusive.

3 (43) (A) A commercial computer technician as specified in
4 subdivision (e) of Section 11166. As used in this article,
5 “commercial computer technician” means a person who works for
6 a company that is in the business of repairing, installing, or
7 otherwise servicing a computer or computer component, including,
8 but not limited to, a computer part, device, memory storage or
9 recording mechanism, auxiliary storage recording or memory
10 capacity, or any other material relating to the operation and
11 maintenance of a computer or computer network system, for a fee.
12 An employer who provides an electronic communications service
13 or a remote computing service to the public shall be deemed to
14 comply with this article if that employer complies with Section
15 2258A of Title 18 of the United States Code.

16 (B) An employer of a commercial computer technician may
17 implement internal procedures for facilitating reporting consistent
18 with this article. These procedures may direct employees who are
19 mandated reporters under this paragraph to report materials
20 described in subdivision (e) of Section 11166 to an employee who
21 is designated by the employer to receive the reports. An employee
22 who is designated to receive reports under this subparagraph shall
23 be a commercial computer technician for purposes of this article.
24 A commercial computer technician who makes a report to the
25 designated employee pursuant to this subparagraph shall be deemed
26 to have complied with the requirements of this article and shall be
27 subject to the protections afforded to mandated reporters, including,
28 but not limited to, those protections afforded by Section 11172.

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

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

39 (c) Except as provided in subdivision (d), employers are strongly
40 encouraged to provide their employees who are mandated reporters

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

8 (d) Pursuant to Section 44691 of the Education Code, school
9 districts, county offices of education, state special schools and
10 diagnostic centers operated by the State Department of Education,
11 and charter schools shall annually train their employees and persons
12 working on their behalf specified in subdivision (a) in the duties
13 of mandated reporters under the child abuse reporting laws. The
14 training shall include, but not necessarily be limited to, training in
15 child abuse and neglect identification and child abuse and neglect
16 reporting.

17 (e) (1) ~~Pursuant~~ *On and after January 1, 2018, pursuant to*
18 *Section 1596.8662 of the Health and Safety Code, a child care*
19 *licensee applicant shall take training in the duties of mandated*
20 *reporters under the child abuse reporting laws as a condition of*
21 *licensure, and a child care administrator or an employee of a*
22 *licensed child day care facility shall take training in the duties of*
23 *mandated reporters during the first six weeks 90 days when he or*
24 *she is employed by the facility.*

25 (2) *A person specified in paragraph (1) who becomes a licensee,*
26 *administrator, or employee of a licensed child day care facility*
27 *shall take the renewal mandated reporter training regularly, as*
28 *defined by the regulations adopted pursuant to Section 1596.8662*
29 *of the Health and Safety Code: every two years following the date*
30 *on which he or she completed the initial mandated reporter*
31 *training. The training shall include, but not necessarily be limited*
32 *to, training in child abuse and neglect identification and child abuse*
33 *and neglect reporting.*

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

37 (g) Public and private organizations are encouraged to provide
38 their volunteers whose duties require direct contact with and

- 1 supervision of children with training in the identification and
- 2 reporting of child abuse and neglect.

O