
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: AB 1381 **Hearing Date:** June 24, 2026
Author: Muratsuchi
Version: June 11, 2026
Urgency: No **Fiscal:** Yes
Consultant: Ian Johnson

Subject: Education-related positions: egregious misconduct: previous employment disclosures.

NOTE: This bill has been referred to the Committees on Education and *Privacy, Digital Technologies, and Consumer Protection*. A “do pass” motion should include referral to the Committee on *Privacy, Digital Technologies, and Consumer Protection*.

NOTE: This bill has been amended to replace its contents and this is the first time the bill is being heard in its current form.

SUMMARY

This bill requires the Commission on Teacher Credentialing (CTC) to create a certificated employee section within the statewide misconduct data system established pursuant to SB 848 (Pérez, Chapter 460, Statutes of 2025). The bill requires the database to identify credential holders for whom CTC has received specified complaints or reports alleging egregious misconduct and requires prospective employers to review the database and obtain underlying records from reporting entities during the hiring process.

BACKGROUND

Existing law:

- 1) Establishes the Committee of Credentials (COC) within the CTC and authorizes the COC to investigate allegations of misconduct involving credential applicants and holders and recommend adverse credential action where appropriate.
- 2) Requires school districts, county offices of education, charter schools, state special schools, and private schools to report specified allegations of misconduct involving credential holders to the CTC.
- 3) Prohibits school employers from entering into agreements that prevent mandatory reporting of egregious misconduct to the CTC or that authorize the removal of credible complaints, substantiated investigations, or discipline related to egregious misconduct from personnel files.
- 4) Requires applicants for certificated positions to disclose prior school employment and requires prospective employers to contact prior school employers regarding

credible complaints, substantiated investigations, or discipline related to egregious misconduct.

- 5) Requires the CTC, pursuant to SB 848 (Pérez), to develop a statewide data system for classified employees and private school employees that includes records relating to substantiated investigations of egregious misconduct and employees who separate from employment during a pending investigation.
- 6) Requires local educational agencies (LEAs) and private schools, before hiring certain employees covered by the statewide data system, to review the database and obtain information regarding prior substantiated misconduct investigations.

ANALYSIS

This bill:

- 1) Requires the CTC to create a certificated employee section within the statewide data system established pursuant to SB 848 (Pérez, Chapter 460, Statutes of 2025).
- 2) Requires the certificated employee section of the database to include the name, date of birth, credential number, and reporting entity associated with a credential holder for whom CTC has received specified complaints, information, indictments, or mandatory misconduct reports.
- 3) Requires the database to identify the school district, county office of education, charter school, state special school, or private school that submitted the report to the CTC.
- 4) Requires reporting entities identified in the database to provide copies of relevant records to prospective employers upon request.
- 5) Requires prospective employers, beginning July 1, 2027, to review the certificated employee section of the statewide data system during the hiring process.
- 6) Requires prospective employers to contact any reporting entity identified in the database and obtain relevant records before hiring a certificated employee.
- 7) Makes conforming changes to the certificated employee reference-check provisions established by existing law.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Current law requires school employers to contact an applicant’s previous employers to determine whether the individual was the subject of credible complaints, substantiated investigations, or discipline for egregious misconduct. This process can be burdensome for school districts, may delay hiring decisions, and failures in information-sharing can have serious consequences for student safety.

“AB 1381 addresses this issue by creating a database within the Commission on Teacher Credentialing’s data reporting system that allows prospective school employers to identify entities that have filed misconduct reports regarding an applicant. By providing a centralized way to locate existing misconduct information that is already required to be shared, AB 1381 helps streamline the hiring review process and supports informed, timely hiring decisions that prioritize student safety.”

- 2) ***Existing process for reviewing misconduct by credential holders.*** Existing law establishes the COC within the CTC to review allegations of misconduct involving credential applicants and holders. School employers are required to report specified instances of misconduct to the CTC, which may then initiate a COC review. Following an investigation, the COC may recommend adverse credential action, including suspension or revocation of a credential. Unlike a local employment investigation, however, the COC process is generally confidential while a matter is under review, with final actions becoming public only after the review process is complete.
- 3) ***Existing reference check requirements.*** Existing law requires applicants for certificated positions to provide prospective employers with a complete list of prior school employers. School employers considering a certificated applicant must contact prior school employers and inquire whether the applicant was the subject of credible complaints, substantiated investigations, or discipline related to egregious misconduct. Existing law also requires school employers that have reported egregious misconduct to the CTC to disclose that fact and provide supporting information upon inquiry from a prospective employer. Similar requirements apply to classified employees and private school employees. Accordingly, current law already contemplates that hiring employers will receive information regarding prior misconduct concerns through employer-to-employer communication, even where no adverse credential action has occurred.
- 4) ***The AB 218 report and legislative response.*** In 2024, the Fiscal Crisis and Management Assistance Team (FCMAT) issued its report to the Legislature regarding the fiscal impacts of childhood sexual assault claims under AB 218 (Gonzalez, Chapter 861, Statutes of 2019). Among other recommendations, the report called for expanded employee screening, stronger work-history verification requirements, creation of an electronic database of school employee work history, and reporting of egregious misconduct information to a state entity in a manner accessible to school employers. The report expressed concern that existing hiring practices did not always provide prospective employers with sufficient information to identify individuals who had engaged in serious misconduct. In response, the Legislature enacted SB 848 (Pérez), which strengthened employee screening requirements, expanded reference-check obligations, prohibited certain settlement agreements related to misconduct, and established a statewide misconduct data system.
- 5) ***The statewide misconduct database established by SB 848.*** SB 848 (Pérez) requires the CTC, contingent upon an appropriation, to develop a statewide data system for classified employees and private school employees. Under current

law, LEAs and private schools are required to report employee hiring and separation information, the initiation and disposition of investigations of egregious misconduct, and employees who separate from employment during an active investigation. Prospective employers must review the database before hiring covered employees. In addition, SB 848 (Pérez) authorized the COC to review records from the database, including substantiated reports and cases involving separation during an investigation. The Legislature therefore created a new statewide employee-screening system for noncredentialed employees while also linking that system to the existing credential discipline framework.

- 6) ***Has SB 848 revealed a visibility gap for credentialed employees?*** Prior to the enactment of SB 848 (Pérez), credentialed employees were generally subject to more robust statewide misconduct oversight than classified employees due to the existence of the COC process. Following enactment of SB 848 (Pérez), however, classified employees and private school employees will be subject to a statewide misconduct database that prospective employers may review during the hiring process. By contrast, prospective employers hiring credentialed employees generally remain dependent upon reference checks, publicly available credential information, and any disclosures provided by prior employers. Supporters of this bill may therefore argue that a gap now exists whereby hiring employers have access to a statewide screening system for classified employees and private school employees, but not for credentialed employees. Viewed in that light, this bill can be understood as an attempt to extend the statewide database concept established by SB 848 (Pérez) to credential holders.
- 7) ***A different reporting threshold than the one established by SB 848.*** While this bill builds upon the statewide data system established by SB 848 (Pérez), it does not simply extend the same reporting framework to credentialed employees. Under SB 848(Pérez), information is entered into the database as the result of an employer investigation of egregious misconduct and the resulting disposition of that investigation. By contrast, AB 1381 would require the credentialed employee section of the database to identify individuals for whom the CTC has received specified complaints, information, indictments, or misconduct reports. Consequently, the bill would establish a reporting threshold for credentialed employees that differs from the threshold currently applicable to classified employees and private school employees. The Committee may wish to consider whether the objective of providing hiring employers with additional information regarding credentialed employees could be achieved by extending the reporting framework established by SB 848 (Pérez) to credential holders, rather than creating a separate reporting standard based upon complaints and reports received by the CTC.
- 8) ***Existing law already contains largely parallel reference-check requirements.*** Existing law contains substantially similar hiring disclosure and reference-check requirements for certificated employees under Education Code Section 44939.5 and classified/private school employees under Education Code Section 44051. In both cases, applicants must disclose prior school employment, and prospective employers must contact prior employers regarding credible complaints, substantiated investigations, or discipline related to egregious

misconduct. The primary distinction is that SB 848 (Pérez) additionally requires LEAs and private schools, prior to hiring certain employees, to review the statewide misconduct database established pursuant to Education Code Section 44052. As a result, the principal policy difference between the two frameworks is not the reference-check process itself, but the existence of a statewide database review requirement for noncertificated employees and private school employees.

To the extent the Committee determines that hiring employers should have access to a credentialed employee component of the statewide database, it may wish to consider whether that objective could be accomplished by extending the existing database review requirements in Education Code Section 44052 to certificated positions, rather than establishing a separate reporting and disclosure framework based upon complaints and reports received by the CTC.

- 9) ***Relationship to SB 1083 (Pérez).*** This Committee previously heard SB 1083 (Pérez, 2026), which proposes significant revisions to the statewide misconduct database framework established by SB 848 (Pérez). Among other changes, SB 1083 (Pérez) would eliminate the requirement that all investigations be reflected as “pending” in the database, limit notification requirements primarily to situations in which an employee separates from employment before an investigation is completed, and establish additional procedural protections for employees whose information may be entered into the system. As discussed in the analysis of SB 1083 (Pérez), the bill reflects an ongoing legislative effort to calibrate the balance between timely information-sharing, employee due process, and the risk of employment consequences arising from unproven allegations. This bill raises many of the same policy considerations because it would expand the statewide data system to credential holders while simultaneously adopting a different reporting threshold than the one currently applicable to classified employees and private school employees.
- 10) ***Implementation status and capacity at the CTC.*** SB 848 (Pérez) requires the CTC to develop the statewide misconduct data system by July 1, 2027, contingent upon an appropriation. The Governor’s proposed 2026-27 budget includes \$1.4 million General Fund and 10 positions for the CTC to begin implementation of the database. However, the CTC has indicated that workload and staffing needs remain uncertain and are dependent upon the final scope of statutory requirements. The CTC has also identified potential needs for additional legal staffing, data-system refinements, and statutory clarifications related to reporting triggers, evidentiary standards, privacy concerns, and integration with existing credential discipline processes. The Committee may wish to consider whether expanding the database to include credential holders is best evaluated as part of the broader implementation and refinement process currently underway.

SUPPORT

Association of California School Administrators (sponsor)

OPPOSITION

None received

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