

THIRD READING

Bill No: AB 1381
Author: Muratsuchi (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 5-1, 6/25/25
AYES: Pérez, Cabaldon, Cortese, Gonzalez, Laird
NOES: Ochoa Bogh
NO VOTE RECORDED: Choi

SENATE EDUCATION COMMITTEE: 6-0, 6/24/26
AYES: Pérez, Cabaldon, Choi, Cortese, Gonzalez, Reyes
NO VOTE RECORDED: Ochoa Bogh

SENATE APPROPRIATIONS COMMITTEE: 5-0, 8/13/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Seyarto, Dahle

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

SUBJECT: Education-related positions: previous employment disclosures:
Commission on Teacher Credentialing: adverse actions

SOURCE: Author

DIGEST: This bill 1) strengthens requirements for school employers to review the prior employment history of applicants for certificated and noncertificated positions for complaints, investigations, or discipline involving egregious misconduct; and 2) establishes potential credentialing consequences for certificated applicants and school administrators who fail to comply with these requirements.

Senate Floor Amendments of 8/21/26 require superintendents of school districts and county offices of education, and chief administrators of charter and private schools, to ensure compliance with employment history inquiries for certificated and noncertificated employees. The amendments also clarify that failure to comply

with these requirements constitutes unprofessional conduct and may subject the superintendent or chief administrator to adverse action by the Commission on Teacher Credentialing (CTC).

ANALYSIS:

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, Chapter 724, Statutes of 2023), 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 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.

This bill:

- 1) Establishes that a certificated applicant's failure to provide the required complete list of prior school employers constitutes unprofessional conduct and may subject the applicant to adverse action by the CTC.

- 2) Prohibits the superintendent of a school district or county office of education, or the chief administrator of a charter school or private school, from hiring an applicant for a certificated or noncertificated position without completing the required inquiry into the applicant's employment history.
- 3) Requires the superintendent or chief administrator to ensure compliance with existing requirements to inquire with each school employer disclosed by an applicant as to whether the applicant was the subject of any credible complaints of, substantiated investigations into, or discipline for, egregious misconduct.
- 4) Establishes that a superintendent's or chief administrator's failure to comply with these employment history inquiry requirements constitutes unprofessional conduct and may subject the superintendent or chief administrator to adverse action by the CTC.

Comments

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."

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 result in adverse credential action, including suspension or revocation of a credential.

Existing reference check requirements. Existing law requires applicants for certificated and noncertificated school positions to disclose their prior school employers and requires prospective school employers to contact those employers regarding credible complaints, substantiated investigations, or discipline involving

egregious misconduct. Prior employers are required to provide specified information regarding such misconduct to the prospective employer.

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 stronger employee screening and work-history verification requirements. In response, the Legislature enacted SB 848 (Pérez), which strengthened employee screening and reference-check requirements and established a statewide misconduct data system.

Strengthening accountability for compliance with existing hiring requirements. This bill does not substantially alter the information that applicants must disclose or that prospective school employers must obtain from prior employers. Instead, this bill adds consequences for failing to comply with those existing requirements. Specifically, a certificated applicant who fails to disclose their required employment history may be subject to adverse action by the CTC. This bill also prohibits a superintendent or school administrator from hiring a certificated or noncertificated employee without completing the required employment-history inquiry, and provides that failure to comply constitutes unprofessional conduct that may subject the superintendent or administrator to adverse action by the CTC.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

By creating new forms of “unprofessional conduct” applicable to certificated employees and school administrators which could subject credential holders to investigation and adverse action, the CTC estimates this bill would result in General Fund costs of \$330,000 in the first year and \$326,000 annually thereafter and 2.0 positions to handle the projected workload increase in misconduct cases before the Committee of Credentials.

SUPPORT: (Verified 8/21/26)

None received

OPPOSITION: (Verified 8/21/26)

None received

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Ian Johnson / ED. / (916) 651-4105
8/24/26 12:06:44

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