

CONCURRENCE IN SENATE AMENDMENTS

AB 1381 (Muratsuchi)

As Amended August 21, 2026

Majority vote

SUMMARY

Original Committee of Reference: Education

Requires local educational agency (LEA) and private school employers to review the prior employment history of certificated and noncertificated applicants for credible complaints, investigations, or discipline involving egregious misconduct. Establishes credentialing consequences for certificated applicants and school administrators who fail to comply with the previous employment investigation and disclosure requirements.

Senate Amendments

- 1) Delete the Assembly version of the bill.
- 2) Prohibit the superintendent of a school district or county office of education (COE), 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) Require the superintendent of a school district or COE, or chief administrator of a charter or private school, to ensure compliance with an inquiry for employment history.
- 4) State that a superintendent's or administrator's failure to complete the required employment history inquiries constitutes unprofessional conduct, and may subject the superintendent or administrator to adverse action by the Commission on Teacher Credentialing (CTC).
- 5) State 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.

COMMENTS

Existing process for reviewing misconduct by credential holders. Existing law establishes the Committee of Credentials (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. Prospective school employers are required to contact those prior 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 a 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 alter the information that applicants must disclose or that prospective school employers must obtain from prior employers. Instead, the 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. The 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.

According to the Author

In 2024, California adopted AB 2534 (Flora), requiring teacher candidates to provide a list of previous employers and requiring employers to inquire and respond to inquiries about credible complaints, substantiated investigations, or discipline for egregious misconduct. However, the law currently has no penalties for noncompliance. AB 1381 addresses this by establishing that failure to comply, by either a teacher candidate or school administrator, is unprofessional conduct and may result in adverse action by the Commission on Teaching Credentialing. By adding reasonable penalties to existing law, AB 1381 seeks to ensure that all teacher candidates are properly vetted.

Arguments in Support

According to the Association of School Administrators, “This bill will provide an additional tool to help school employers complete mandated employment history verification with more complete data. We recognize the shared responsibility to stop incidents of abuse in schools from occurring, once and for all.

The growing financial impact of misconduct and abuse claims against LEAs is all the more reason to invest in tools like the one proposed by AB 1318. LEAs have paid billions of dollars to resolve claims that allege they have failed to address the risk of harm and protect students in their care from abuse. A recent study published by the California Association of Joint Powers Authorities (CAJPA) states that in 2024-25, the total dollars of claims for school districts statewide represent roughly \$75 per pupil (ADA). This is three times the amount that has been reported just seven years prior, in 2017-18. It is projected to nearly double by 2027-2028. Further, school districts have reported special assessments of \$1 million in a single year for their risk coverage policies due to liability exposure for sexual abuse and misconduct claims. These are school districts that have received zero claims against their employees.

Ensuring the safety and well-being of students is a shared responsibility and a priority of ACSA. AB 1381 takes a key step to provide LEAs with an additional tool to support more comprehensive applicant employee history review.

Arguments in Opposition

None on file.

FISCAL COMMENTS

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.”

VOTES

ASM EDUCATION: 9-0-0

YES: Muratsuchi, Hoover, Addis, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Patel

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

YES: 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

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ASM EDUCATION: 9-0-0

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Pellerin, Zbur

UPDATED

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CONSULTANT: Sarah Cate Hawthorne / ED. / (916) 319-2087, Chelsea Kelley / ED. / (916) 319-2087

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