
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1083 (Pérez) - Noncertificated public school employees: private school employees: egregious misconduct: statewide data system

Version: March 25, 2026

Urgency: No

Hearing Date: May 11, 2026

Policy Vote: ED. 7 - 0, L., P.E. & R. 5 - 0

Mandate: Yes

Consultant: Lenin Del Castillo

Bill Summary: This bill makes various changes to the hiring disclosure requirements, procedures and due process protections for local investigations, and statewide data system reporting requirements regarding egregious misconduct by noncertificated and private school employees.

Fiscal Impact:

- The Commission on Teacher Credentialing (CTC) indicates that this bill could leave it vulnerable to significant litigation risk for many reasons, including the requirement to publicize pending investigations of egregious misconduct. This could create unknown but significant General Fund costs, potentially in the millions of dollars each year.
- This bill could result in additional Proposition 98 General Fund costs to local educational agencies (LEAs) for increased hearings related to egregious misconduct at the Office of Administrative Hearings (OAH). The extent of these costs is unknown but could be significant, depending on the number and scope of proceedings each year. The cost associated with each hearing can average approximately \$7,000 but can be much higher for more complicated cases. The cost of the administrative law judges' time related to these hearings would typically be billed by the OAH to the involved LEAs.
- This bill could result in additional Proposition 98 General Fund costs for schools to conduct investigations upon the receipt of credible complaints. The bill includes a requirement for schools to finish the investigations even if the employee resigns or leaves employment. The extent of these costs would depend on the number and scope of the investigations.
- To the extent that the bill's provisions lead to a reduction in egregious misconduct by employees in schools, it could lead to long-term savings for school districts by reducing the financial liabilities that could result from these cases.

Background: Existing law requires each school district or county office of education (COE) to be responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 through 12. The comprehensive school safety plans shall include an assessment of the current status of school crime committed on school campuses and at school-related functions and

identification of appropriate strategies and programs to provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including child abuse reporting procedures; policies regarding pupils who commit specified acts that would lead to suspension or expulsion; procedures to notify teachers of dangerous pupils; a discrimination and harassment policy; procedures for safe ingress and egress of pupils, parents, and school employees to and from school; a safe and orderly environment conducive to learning; and rules and procedures on school discipline.

Existing law prohibits LEAs from entering into agreements that suppress mandatory reporting of egregious misconduct by school employees, including sexual misconduct. It also prohibits employment of individuals convicted of sex offenses, requiring LEAs to conduct background checks through fingerprinting and criminal history records.

Existing law establishes procedures for LEAs to dismiss certificated employees for immoral conduct, unprofessional conduct, or crimes involving moral turpitude. It also requires LEAs to maintain personnel records, including documentation of complaints, investigations, and discipline involving misconduct allegations.

Existing law prohibits agreements that prevent reporting egregious misconduct or expunge related records, except where allegations are determined to be unfounded or unsubstantiated through due process. It establishes hiring transparency requirements for noncertificated and certificated employees, including requiring applicants to disclose prior school employment; requiring hiring entities to contact prior employers regarding credible complaints, substantiated investigations, or discipline for egregious misconduct; and requiring prior employers to disclose reports made to the Commission on Teacher Credentialing (CTC) and provide supporting information.

Existing law requires the CTC, contingent on appropriation, to develop a statewide data system tracking investigations and substantiated reports of egregious misconduct, including employee identifiers, employment history, and investigation data.

Existing law requires LEAs and private schools to report hiring, position changes, separations, initiation of investigations, investigation outcomes, and mid-investigation separations within specified timelines. It requires that only substantiated reports of egregious misconduct be recorded and prohibits retention of records for unfounded or inconclusive investigations.

Existing law requires LEAs and private schools to review the statewide data system prior to hiring to determine whether an applicant has a substantiated report of egregious misconduct.

Proposed Law: This bill requires prior employers to disclose whether an applicant was the subject of a substantiated report of egregious misconduct, rather than a substantiated investigation, when responding to hiring inquiries and to continue providing all relevant information previously reported to the CTC.

This bill requires LEAs and private schools, upon receiving a credible complaint or other reason to believe egregious misconduct occurred, to conduct an investigation and provide the employee with written notice before commencing the investigation.

This bill requires LEAs and private schools to complete an investigation regardless of whether the employee separates from employment and to provide the employee with written notice of the findings (substantiated, unsubstantiated, or inconclusive) within 10 calendar days of concluding the investigation.

This bill authorizes LEA noncertificated employees to request a hearing on a substantiated report of egregious misconduct with an administrative law judge (ALJ), and requires the LEA to report the outcome of the ALJ's decision to the CTC within 10 calendar days for inclusion in the statewide data system.

This bill deletes the requirement that all investigations be reflected as "pending" in the statewide data system upon initiation.

This bill requires LEAs and private schools, only when an employee leaves employment before an investigation is completed, to do the following:

1. Report the employee's change in employment status to the statewide data system;
2. Submit a preliminary notice that an investigation was initiated based on a credible complaint;
3. Complete the investigation and determine whether the report is substantiated, unsubstantiated, or inconclusive; and
4. Submit final notice of the investigation outcome to the statewide data system.

This bill requires the statewide data system, for employees who separate before the completion of an investigation, to notify the employee's current employer immediately upon receipt of the preliminary notice and every 30 days thereafter until a final report is submitted. It restricts access to the statewide data system to employees of LEAs and private schools who are responsible for hiring, employment decisions, or employee investigations, and requires individuals with access to the statewide data system to maintain the confidentiality of information contained in the system.

Related Legislation: SB 848 (Perez, Chapter 460, Statutes of 2025) establishes a framework for identifying, reporting, and preventing egregious misconduct by school employees.

Staff Comments: While SB 848 establishes a new framework designed to prevent egregious misconduct by school employees, this bill represents a follow up measure that is intended to address several implementation issues. First, the bill eliminates the "pending" status in the data system and instead requires reporting and employer notification in cases where an employee separates from employment before an investigation is completed. This bill also establishes more explicit procedural requirements for how LEAs and private schools conduct investigations of egregious misconduct, including advance written notice to the employee, required completion of investigations regardless of employment status, and written notice of findings. In cases where an employee leaves during an investigation, the bill requires the statewide data

system to notify the employee's current employer immediately and every 30 days thereafter until the investigation is resolved. Further, the bill provides noncertificated employees with the opportunity to request a hearing before an ALJ to challenge a substantiated report.

According to the author, "SB 1083 builds on the Safe Learning Environments Act (SB 848), which was enacted into law last year and established a statewide data system to track egregious misconduct by school employees. That law was an important step forward in improving transparency, strengthening accountability, and helping ensure that individuals with serious allegations cannot quietly move between school sites without scrutiny.

But as implementation has moved forward, additional refinements are needed to ensure the system operates with consistency, fairness, and fully protects students. First, classified employees do not currently have a clearly defined, impartial review process comparable to what is provided to certificated employees. Existing law ensures that teachers receive due process, including a hearing and the ability to appeal to an Administrative Law Judge through the Office of Administrative Hearings. Without equivalent due process protections, investigations against them involving egregious misconduct can result in professional and personal consequences. SB 1083 addresses this by requiring an Administrative Law Judge to determine whether a classified employee should be added to the statewide data system. The bill also requires the statewide system to immediately notify a current employer when an employee leaves a local educational agency or private school before or during an investigation. This notice would inform the employer that a preliminary report has been filed, and an investigation is pending, to ensure that future employers are aware of any unresolved concerns.

Second, while the existing framework established accountability for permanent employees, gaps remain for independent contractors and non-permanent individuals who interact directly with students. These individuals may have regular, unsupervised access to children, yet are not always subject to the same standards. SB 1083 ensures that appropriate vetting measures apply to them as well. Together, these improvements strengthen the system, promote fairness, and ensure that all individuals working with students are held to consistent standards, because student safety remains our highest priority."

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