

SENATE THIRD READING
SB 1083 (Pérez)
As Amended August 13, 2026
Majority vote

SUMMARY

Makes changes to existing laws relating to the investigation, reporting, and disclosure of egregious misconduct by noncertificated public and private school employees; adverse actions; the statewide data system ("SDS") reporting and notification requirements relating to such claims, and provisions relating to contracts and background checks for educational services, among other provisions.

Major Provisions

- 1) Revise and recast existing laws to require: a) disclosures of egregious misconduct to be related to a substantiated report *instead of* a substantiated investigation; b) including merit districts – school districts, county offices of education (COEs), private schools, charter schools, and state and special schools and diagnostic centers (SSDCs) operated by the State Department of Education (CDE) to provide relevant evidence in addition to any information, as provided; c) limit the responses to inquiries described in the report of egregious misconduct submitted to the SDS instead of those submitted to the Commission on Teacher Credentialing (CTC); d) those entities to also provide relevant evidence or information to the CTC upon inquiry; e) those entities to preserve evidence or information relating to a substantiated report of egregious misconduct, as provided.
- 2) Establish that a school employee may be subject to dismissal if the employee, while holding a previous position in a local education agency (LEA) or private school, was the subject of any credible complaints of, investigations into, or discipline for, egregious misconduct, that was reported to the SDS and either the employer failed to disclose that information or the employee did not disclose their previous education employers.
- 3) Revise and recast various provisions related to the SDS, including: a) that the SDS to be developed is specific to investigations of egregious misconduct; b) the data to be submitted and process for updating data; c) specifying the role and responsibilities of the aforementioned entities; d) that data contained in the system is not subject to disclosure under the California Public Records Act, specified rights under the Information Practices Act of 1977 do not apply to personal data maintained in the system and, among other things, (e) prescribing who may access the system and for what purpose, and make legislative findings to that effect.
- 4) Require LEAs or private schools to conduct an investigation to determine whether the employee committed egregious misconduct, as prescribed, upon receiving any credible complaint or other reason to believe that an employee has engaged in such misconduct. In addition, LEAs are required to provide written notice to the employee before commencing the investigation, and within 10 calendar days of the investigation's conclusion, serve notice to the employee of the findings.
- 5) Require private schools to adopt a written employee investigation policy, as prescribed, and that LEAs and private schools to complete the investigation regardless of whether the employee terminates the employment relationship.

- 6) Prescribe the authorities of the CTC after receipt of an entry to the system regarding a substantiated report or record of a start of an investigation upon, including a change in the employment status during an investigation entered into the system.
- 7) Amend existing law to require the CDE to require background checks, as provide, including for its own agents, and revises and recasts existing law provisions relating to background check by, among other things, expanding the requirement for a valid criminal records summary, with certain exemptions, to any entity that has a contract with a LEA or the CDE for purposes of its operated SSDCs, any employees and subcontractor who interacts with, or provides direct services to, pupils, and requires LEAs and the CDE to include a requirement in contracts with these entities setting forth a termination clause for noncompliance.
- 8) Separately require, on or before July 1, 2027, each LEA governing body or board, private school, and the CDE for purposes of its operated SSDCs, to ensure that certain prescribed provisions are included in a contract when entering into a contract for services to students.
- 9) Amend existing law, as added by Section 10, Chapter 260, Statutes of 2025 (Senate Bill 848, Perez) relating to staff development in the detection of child abuse and neglect, by requiring school districts, COEs, CDE-operated SSDCs, and charter schools, to provide annual online training via a DSS-provided module or equivalent training developed to specifically meet certain requirements and report that training to the CDE. The alternative training module must be approved by a public entity risk pool joint powers authority or liability provider used by those entities. However, for private schools, the alternative training module must be approved by the school's governing authority.
- 10) Amend existing law concerning employment of classified employees in elementary and secondary education by including legislative intent with respect to schools being a safe and nurturing place for pupils that are free of fear and threats of violence, including violent crimes and sexual offenses committed, or intended to be committed, by contractors providing direct services to pupils or services on school campuses or other facilities where pupils receive services, among other provisions pertaining to background checks in a manner that is consistent with the above-described intent and other provisions of this bill.

COMMENTS

Egregious Misconduct

Egregious misconduct is conduct that is the basis for an offense of specified sex offenses, controlled substance offenses, and child abuse and neglect offenses.

Chapter 55, Statutes of 2014 (Assembly Bill 215, Buchanan) established the definition of that term and the prohibition on expunging these records in response to the fact that some school districts historically had collective bargaining agreements that contained language requiring the removal of all complaints from an employee's personnel file, regardless of the nature, after a specified amount of time. Further, that statute established an expedited dismissal hearing process for egregious misconduct.

Under existing law, educator misconduct is reported by employing school districts, charter schools, the public, and self-reported on applications for credentials issued by the CTC. The CTC's Division of Professional Practices investigates allegations of misconduct by credential

holders and applicants. The Committee then reviews the allegations and is authorized to recommend that the CTC take adverse action against a credential or application. Existing law also prohibits school districts, COEs, and charter schools from expunging complaints or entering into an agreement that would authorize the expungement of complaints of egregious misconduct from a personnel file.

This bill is intended to protect pupils and resolve inconsistent standards to ensure that all individuals working with students are treated consistently under the law.

Please see the respective policy committee analyses for a full discussion of this bill.

According to the Author

"The Safe Learning Environments Act created a statewide data system to track egregious misconduct investigations involving school employees to improve transparency and prevent individuals with serious allegations from moving between school sites without proper review. As implementation moves forward, stakeholders have identified areas where additional refinements would help ensure the system operates with consistency, fairness, and covers all individuals working with students. While [that act] marked an important step toward creating safer school environments, two key issues have emerged through its implementation.

"First, classified employees do not have a clearly defined, impartial review process comparable to certificated employees (teachers). Existing law requires that teachers receive due process before being placed in a misconduct-related data system, which includes a hearing and the ability to appeal the decision to an [Administrative Law Judge] (ALJ) through the [Office of Administrative Hearings] (OAH). Without equivalent due process protections, investigations against classified employees involving egregious misconduct can result in professional and personal consequences. Second, in some cases, employees may resign or leave their position before an investigation into alleged misconduct is completed, which limits information available to future employers. Without clear requirements to complete investigations and document these circumstances, the process leaves important safety concerns unaddressed. Finally, while [that act] established an important accountability structure, gaps remain for contracted and non-permanent employees who work directly with students. These individuals may have regular, unsupervised access to children, yet are not always subject to the same level of accountability. [This bill] builds on the Safe Learning Environments Act [that established] a statewide data system to track egregious misconduct by school employees."

Arguments in Support

In part, the cosponsors of this bill state, "[d]uring the 2025 legislative session, the Governor signed [Senate Bill 848 (Pérez)], which among other things, creates a permanent statewide database to track accusations and convictions of egregious misconduct by classified school employees. [That bill] is an important step towards guaranteeing our schools are safe places for children. "[This bill] reflects a thoughtful and collaborative effort to refine the law by establishing a fair and consistent process... [by providing] parity because classified employees should not be denied due process rights granted to teachers [and ensures] that independent contractors working on school campuses are subject to appropriate background check requirements."

Others express substantially similar statements in support of this bill.

Arguments in Opposition

Among other arguments in opposition to this bill, a coalition of LEAs and COEs state, "[this bill] would conflict with existing laws for long-established practices in personnel investigations, disciplinary hearings, background checks for egregious misconduct, and even some of the recently enacted prevention policies under [Senate Bill 848]."

In part, the Charter Schools Development Center states, "[we] oppose this bill because it imposes public agency obligations on charter schools without providing the legal protections or funding that make those obligations workable. [... unlike] districts, charter schools can be closed for fiscal insolvency."

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, this bill would result in the following:

- 1) Potential ongoing Proposition 98 General Fund costs to LEAs, of an unknown but potentially significant amount, possibly in the hundreds of thousands to millions of dollars annually, cumulatively statewide, to conduct required egregious misconduct investigations within the timelines and parameters prescribed by the bill.
- 2) One-time General Fund costs of \$1,178,000 and ongoing costs of \$1,164,000 on an annual basis for CTC to hire additional analytical and legal staff to handle the anticipated significant increase in potential litigation, records request, public and private inquiries, support to LEAs, and internal staff training necessary to implement the bill.
- 3) Minor and absorbable costs to the Department of Justice (DOJ), and no costs to the CDE.

If the Commission on State Mandates determines the bill's requirements to be a reimbursable state mandate, the state would need to reimburse these costs to LEAs or provide funding through the K-12 Mandate Block Grant.

VOTES

SENATE FLOOR: 33-0-7

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

ABS, ABST OR NV: Allen, Alvarado-Gil, Becker, Hurtado, Niello, Padilla, Stern

ASM PUBLIC EMPLOYMENT AND RETIREMENT: 6-0-1

YES: McKinnor, Alanis, Boerner, Garcia, Nguyen, Michelle Rodriguez

ABS, ABST OR NV: Lackey

ASM EDUCATION: 8-0-1

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

ABS, ABST OR NV: Garcia

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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