

UNFINISHED BUSINESS

Bill No: SB 1083
Author: Pérez (D)
Amended: 8/20/26
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 4/15/26

AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 5-0, 4/22/26

AYES: Smallwood-Cuevas, Strickland, Cortese, Durazo, Laird

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 33-0, 5/22/26

AYES: 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

NO VOTE RECORDED: Allen, Alvarado-Gil, Becker, Hurtado, Niello, Padilla, Stern

ASSEMBLY FLOOR: 78-0, 8/25/26 - See last page for vote

SUBJECT: Noncertificated public school employees: private school employees: egregious misconduct: statewide data system

SOURCE: AFSCME California
California Federation of Teachers
California School Employees Association
SEIU California

DIGEST: This bill 1) makes various changes to state law governing the investigation, reporting, and disclosure of egregious misconduct by noncertificated public school and private school employees; 2) revises the statewide data system and related responsibilities of the Commission on Teacher Credentialing (CTC), local educational agencies (LEAs), and private schools; 3) expands background check and misconduct-screening requirements for contractors providing services to pupils; and 4) makes related changes to mandated reporter training requirements for private schools.

Assembly Amendments: (1) broaden employment history inquiries and disclosures concerning egregious misconduct and require additional evidence preservation and information sharing with prospective employers and the CTC; (2) recast statewide data system requirements, including data fields, reporting and access procedures, confidentiality and privacy protections, and the respective responsibilities of the CTC, LEAs, and private schools; (3) revise investigation procedures and employee protections, including specified timelines and opportunities for employees to respond during investigations; (4) expanding CTC and Committee of Credentials authority relating to reports submitted through the statewide data system; (5) replace legislative intent regarding independent contractors with substantive criminal background check, misconduct disclosure, screening, and contractual requirements applicable to contractors and subcontractors providing specified services to pupils; and (6) require alternative mandated reporter training for private schools to be approved by the private school's governing authority rather than its liability insurance provider.

ANALYSIS:

Existing law:

- 1) Expresses legislative intent that schools be safe environments free from violence, sexual offenses, and misconduct by school employees, volunteers, and contractors, and requires adoption of policies addressing professional boundaries and safe environments. (Education Code (EC) § 32100)
- 2) Requires school districts and county offices of education to adopt comprehensive school safety plans that include procedures for child abuse reporting, staff training, and responses to dangerous or unlawful activity. (EC §§ 32280–32282)
- 3) Requires LEAs and private schools to provide annual training on child abuse reporting and prevention, and requires specified alternative mandated reporter training to meet statutory requirements. (EC § 44691)

- 4) Prohibits agreements that prevent reporting egregious misconduct or expunge related records, except as specified. (EC § 44939.5)
- 5) Establishes hiring transparency requirements for noncertificated public school and private school employees, including requirements that applicants disclose prior school employment, hiring entities contact prior school employers regarding specified complaints, investigations, or discipline involving egregious misconduct, and prior employers provide specified information in response to those inquiries. (EC § 44051)
- 6) Requires the CTC, contingent upon an appropriation, to develop by July 1, 2027, a statewide data system relating to investigations and substantiated reports of egregious misconduct involving noncertificated LEA employees and private school employees. (EC § 44052)
- 7) Requires LEAs and private schools to submit specified employment and investigation information to the statewide data system, including information regarding the initiation and disposition of investigations and employees who leave employment during an investigation. (EC § 44052)
- 8) Requires LEAs and private schools to review the statewide data system before hiring an individual for an applicable position to determine whether an investigation resulted in a substantiated report of egregious misconduct. (EC § 44052)
- 9) Authorizes the CTC's Committee of Credentials to initiate review based on specified records entered into the statewide data system, including substantiated reports and records involving an employee who leaves employment during an investigation. (EC § 44242.5)
- 10) Requires specified entities contracting with an LEA to ensure that employees who interact with pupils have a valid criminal records summary, subject to specified exceptions and procedures. (EC § 45125.1)

This bill:

- 1) Revises employment history inquiries and disclosures regarding egregious misconduct by:
 - a) Requiring inquiries and disclosures to encompass any credible complaints of, substantiated investigations into, or discipline for egregious misconduct, rather than limiting the information to matters used to support a substantiated investigation;

- b) Requiring prior school employers to provide relevant evidence in addition to specified information;
 - c) Requiring responses to include reports of egregious misconduct submitted to the statewide data system and specified related employment history submitted to the CTC;
 - d) Requiring LEAs and private schools to provide relevant evidence or information to the CTC upon inquiry; and
 - e) Requiring preservation of evidence and information relating to substantiated reports of egregious misconduct.
- 2) Establishes an additional basis for dismissal related to undisclosed prior misconduct by providing that a school employee may be subject to dismissal when specified egregious misconduct involving previous school employment was reported to the statewide data system and either the previous employer failed to disclose the information or the employee failed to disclose the previous education employer, as specified.
- 3) Revises and recasts the statewide data system, including by:
- a) Specifying that the system is for investigations of egregious misconduct;
 - b) Revising required data fields and the information LEAs and private schools submit and update;
 - c) Specifying the respective responsibilities of the CTC, LEAs, private schools, and merit system school districts;
 - d) Requiring the CTC to develop a secure interface through which authorized entities may access the system;
 - e) Requiring LEAs and private schools to request access to the system by May 1, 2027, and provide a designated email address for system notifications; and
 - f) Requiring preservation of information and evidence associated with substantiated reports entered into the system.
- 4) Establishes privacy, confidentiality, and access requirements for the statewide data system by limiting access to specified CTC employees and LEA and private school employees responsible for employment, employee investigations, or hiring decisions; requiring users to maintain confidentiality; exempting system data from disclosure under the California Public Records Act; and

exempting specified personal information maintained in the system from specified provisions of the Information Practices Act.

- 5) Establishes investigation requirements for allegations of egregious misconduct by:
 - a) Requiring an LEA or private school, upon receiving a credible complaint or other reason to believe an employee engaged in egregious misconduct, to conduct an investigation;
 - b) Establishing specified investigation timelines for LEAs;
 - c) Requiring an LEA to provide the employee a reasonable opportunity to provide a statement and evidence to the investigator;
 - d) Requiring an LEA, within 10 calendar days after completing an investigation, to provide the employee written notice of the findings;
 - e) Requiring LEAs and private schools to complete investigations regardless of whether the employee ends the employment relationship; and
 - f) Requiring each private school, by July 1, 2027, to adopt a written employee investigation policy containing specified procedures, timelines, and employee and employer rights and responsibilities.
- 6) Revises the CTC's authority and responsibilities relating to reports in the statewide data system by:
 - a) Authorizing the Committee of Credentials to commence a formal review upon receipt of a substantiated report or specified record involving an employee who changes employment status during an investigation;
 - b) Authorizing the CTC to request information and records from LEAs and private schools when investigating substantiated reports submitted to the statewide data system;
 - c) Establishing a four-year period for presenting specified substantiated reports that do not involve sexual misconduct with a minor or recurring conduct constituting a pattern of misconduct to the Committee of Credentials for initial review; and
 - d) Authorizing the CTC to require private schools to produce specified information, records, reports, and other data for credential misconduct reviews.

- 7) Expands criminal background check requirements for contractors and subcontractors providing services to pupils by:
 - a) Requiring, rather than authorizing, the California Department of Education (CDE) to require specified employees, prospective employees, volunteers, contractors, and subcontractors to undergo state and federal criminal history background checks;
 - b) Expanding existing criminal records summary requirements to specified contractors and subcontractors who interact with pupils or provide direct services to pupils;
 - c) Narrowing an existing exception by requiring contractor employees and subcontractors relying upon the exception to remain under the immediate supervision and control of a school employee;
 - d) Requiring criminal records verification for specified independent study contractors and eliminating the alternative of obtaining parental consent; and
 - e) Requiring LEAs and CDE to include contract termination provisions for noncompliance with applicable background check requirements.
- 8) Establishes additional contract requirements for entities providing specified services to pupils, operative by July 1, 2027, including requirements that:
 - a) LEAs, private schools, and CDE ensure applicable contracts contain and enforce specified background check requirements;
 - b) Contractors and subcontractors disclose specified credible complaints of, or discipline for, reportable conduct involving employees or subcontractors who will provide services;
 - c) LEAs, private schools, and CDE check specified contractor and subcontractor identifying information against the statewide data system or through specified alternative procedures; and
 - d) Specified notifications be made when a credible complaint of egregious misconduct is received involving a contractor, subcontractor, or their employees performing services.
- 9) Revises private school mandated reporter training requirements to require an alternative mandated reporter training module to be approved by the private school's governing authority rather than its liability insurance provider.

- 10) Defines specified terms and makes related technical, clarifying, and conforming changes.

Comments

- 1) *Need for this bill.* 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.”

- 2) *Follow-up to SB 848 and significant Assembly amendments.* Recent legislation from this author established a new statewide framework for identifying, reporting, and preventing egregious misconduct by school employees, particularly those in noncertificated positions. This bill represents a second

phase of that work, focused on refining how the system operates in practice. In particular, the bill addresses key implementation questions related to when and how misconduct information is reported and shared, how local investigations are conducted, and how hiring entities and the CTC use that information. These changes reflect the continuing challenge of designing a system that provides meaningful information to protect pupils while ensuring that information concerning employees is accurate, appropriately handled, and supported by a consistent investigative process.

- 3) *Completing investigations when an employee leaves.* A central purpose of the statewide data system is to address circumstances in which an employee accused of serious misconduct leaves one school employer before an investigation is completed and subsequently seeks employment elsewhere. Historically, an employee's departure could result in an investigation being discontinued, leaving a future school employer with limited information about the underlying allegations. This bill requires LEAs and private schools to complete investigations of egregious misconduct regardless of whether the employee ends the employment relationship. Requiring investigations to reach a conclusion strengthens the integrity of the statewide system by helping ensure that an employee's departure does not itself prevent potentially significant information from being developed and available to future school employers.
- 4) *Consistency and fairness in local investigations.* The usefulness of a statewide misconduct system depends in significant part on the quality of the local investigations underlying the information reported to it. This bill establishes additional requirements governing LEA investigations, including timelines, an opportunity for the employee to provide a statement and evidence to the investigator, and written notice of findings. Private schools are required to adopt written investigation policies addressing procedures, timelines, and the respective rights and responsibilities of employers and employees. Establishing clearer expectations for investigations may promote greater consistency and confidence in findings that can have significant consequences for both pupil safety and an employee's future employment.
- 5) *Employment history checks remain an important layer of protection.* The statewide data system is intended to provide school employers with a more consistent source of information regarding egregious misconduct, but it does not replace the role of employment history checks. This bill expands the information that school employers are required to exchange regarding credible complaints, substantiated investigations, and discipline for egregious misconduct and requires specified supporting evidence to be provided.

Maintaining both mechanisms recognizes that no single database is likely to capture all of the context relevant to a hiring decision and that direct communication between current and former school employers remains an important safeguard against employees moving between schools without appropriate scrutiny.

- 6) *Extending safeguards to contractors who serve pupils.* Schools increasingly rely on outside entities to provide educational, enrichment, therapeutic, and other services directly to pupils. Yet the distinction between an employee and a contractor may have little practical significance from the perspective of a pupil interacting with the adult providing the service. This bill expands criminal background check requirements for contractors and subcontractors who interact with or provide direct services to pupils and establishes additional requirements for screening specified contractor personnel for prior misconduct. These provisions seek to reduce gaps in pupil protections that can arise when services are delivered through contractual arrangements rather than by school employees.
- 7) *Implementation capacity at the CTC.* The statewide data system places significant new administrative responsibilities on the CTC, including development and maintenance of the system, management of access and notifications, and integration of reported information with the Commission's existing educator discipline processes. The 2026-27 Budget Act provides \$1.4 million General Fund and 10 positions for CTC to implement these responsibilities. The ultimate workload associated with the system will depend on the volume and complexity of information submitted by school employers and the extent to which those reports generate additional work for the Committee of Credentials and CTC staff. Successful implementation will therefore depend not only on the statutory framework, but also on the Commission's ability to develop a secure and functional system and provide sufficient guidance to the thousands of public and private school employers expected to use it.

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

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 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.

SUPPORT: (Verified 8/25/26)

AFSCME California (co-source)
 California Federation of Teachers (co-source)
 California School Employees Association (co-source)
 California Federation of Labor Unions
 California Labor Federation
 California State Council of Service Employees International Union

OPPOSITION: (Verified 8/25/26)

California Association of Suburban School Districts
 California Association of Suburban Schools
 Charter Schools Development Center
 Kern County Superintendent of Schools Office

ASSEMBLY FLOOR: 78-0 8/25/26

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, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, 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

NO VOTE RECORDED: McKinnor

Prepared by: Ian Johnson / ED. / (916) 651-4105
9/21/26 11:30:42

**** **END** ****