

Date of Hearing: August 20, 2025

# ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 848 (Pérez) – As Amended July 7, 2025

Policy Committee:	Education	Vote:	9 - 0
	Public Safety		9 - 0

Urgency: No      State Mandated Local Program: Yes      Reimbursable: Yes

## SUMMARY:

This bill expands the definition of mandated reporters and requires the California Commission on Teacher Credentialing (CTC) to create a statewide school employee misconduct data tracking system for classified staff, contingent on an appropriation. The bill also requires the California Department of Education (CDE), in consultation with the State Department of Social Services (DSS), to develop and disseminate information regarding child abuse and assault and provide statewide guidance regarding the responsibilities of mandated reporters who are school personnel.

## FISCAL EFFECT:

- 1) One-time General Fund costs of approximately \$2.6 million in the first year of implementation, and \$2.5 million annually ongoing thereafter, for the CTC to hire a) four additional information technology staff needed for the development, implementation, and integration of the new database into the existing database for credentialed employees, and b) 14 additional administrative staff to provide technical assistance to employees and LEAs along with investigating and processing data regarding classified employees entered into the database who are flagged for egregious misconduct.
- 2) Minor and absorbable costs to the CDE.

## COMMENTS:

- 1) **Purpose.** According to the author:

A series of articles published in 2023 and 2024, an investigative reporter uncovered a 40-year history of sexual misconduct at a single California high school, where dozens of educators engaged in behavior ranging from inappropriate comments to sexual relationships with students. This is not an isolated incident. According to the Fiscal Crisis and Management Assistance Team (FCMAT), a 2023 report found that claims originated in 48 of 58 California's counties with the majority of offences (50%) occurred in classrooms, with 68% taking place during general education, 14% in athletics, and 6% in before- or after-school programs. While severe forms of sexual misconduct account for less than 1%, according to a 2022 survey reflecting national trends, this

still translates to hundreds of thousands of cases, exposing systemic deficiencies that contribute to educator sexual misconduct.

SB 848 implements stronger preventative measures, as recommended by FCMAT, to fully protect children by establishing professional boundaries, improving work history verification, and creating an electronic database of school employee misconduct. It also mandates comprehensive training, requires abuse awareness education for students, and ensures reporting of egregious misconduct, amongst other mandates.

- 2) **Background. Egregious Misconduct by School Employees.** Under current law, when a school employer hires an individual in a noncertificated position, commonly referred to as a classified employee, the employer obtains fingerprints, arrest, and conviction records from the Department of Justice and the Federal Bureau of Investigation, however, the employer does not have information regarding whether the employee has been investigated at a previous school employer for egregious misconduct with children unless it resulted in an arrest or conviction. The bill refers to existing egregious misconduct definitions in current law including sex offenses, controlled substance offenses, and child abuse and neglect offenses, as specified.

In the event of a school investigating a teacher (certificated employee) for egregious misconduct who subsequently leaves employment for any reason, state law requires the school to notify the California Commission on Teacher Credentialing (CTC), which completes an investigation and may take action on the teacher's credential. Because a statewide entity investigates and potentially takes action against a teacher's credential, it is impossible for a teacher to have substantiated investigations of egregious misconduct with children not resulting in an arrest or conviction to later work for another school employer. No such statewide system or process exists for classified employees.

***Fiscal Crisis and Management Assistance Team (FCMAT) Report.*** Several recent legislative changes have significantly altered California's legal landscape regarding childhood sexual assault claims, most notably AB 218 (Gonzalez), Chapter 861, Statutes of 2019. As a consequence, various entities have undertaken investigation and analysis to determine effects of these legislative changes on schools and public agencies. The Budget Act of 2024 required FCMAT to produce a report on the recent policy changes related to childhood sexual assault at public entities, given the oftentimes exorbitant cost of childhood sexual assault claims, recommend how the state might strengthen those entities' prevention, accountability, and fiscal management. According to FCMAT's report, the cost exposure for local educational agencies alone resulting from AB 218 claims to date was approximately \$2 billion to \$3 billion. An exact figure is not possible as many cases outcomes have yet to be determined.

Acknowledging both the fiscal implications for public agencies as well as the need for California to better protect would-be victims, the report makes several recommendations regarding expanded training and requirements for mandated reporters of child abuse and neglect and expanded screening of school personnel, including volunteers. Proponents of the bill argue that the recommended changes in the FCMAT report would strengthen prevention by expanding work history verification and through development of a new electronic

database of school employee work history for both public and private schools in California. Consistent with the recommendations, the bill requires the CTC, contingent on an appropriation, to develop a statewide database for classified school employees and all private school employees. The Association of California School Administrators (ACSA), in support, writes the following:

School environments today look very different compared to 30 years ago, with concerted efforts in place related to abuse prevention, as well as training, tracking, and reporting processes. However, gaps remain that warrant further attention, specifically related to mandated reporter designation, employment history, and egregious misconduct investigations. SB 848 reflects key recommendations from the Fiscal Crisis and Management Assistance Team (FCMAT) report on childhood sexual assault in schools to help fill these gaps.

We especially appreciate the proposal to establish a statewide database of classified employees' school-based employment and related substantiated investigations of egregious misconduct. Unlike certificated positions, there is no similar database to supporting hiring classified positions such as transportation providers, classroom aides, front office personnel, custodial staff, and nutrition services staff. The database would help school employers make more informed hiring decisions when seeking to fill essential positions with trusted adults.

***Mandated Reporters in Schools.*** Generally, a person working in a position the law designates as a mandated reporter, operating within their professional capacity or scope of employment, must report to law enforcement or a county welfare department any knowledge or reasonable suspicion of a child who has been the victim of abuse or neglect. Under current law, the following education personnel are mandated reporters: teachers, instructional aides, teacher's aides, or teacher's assistants employed by a public or private school, classified employees of a public school, administrative officers or supervisors of child welfare and attendance, or certified pupil personnel employees of a public or private school, employees of a county office of education whose duties bring the employees into contact with children on a regular basis, and employees of a school district police or security personnel. This bill broadens the existing definition of a mandated reporter to include an employee, volunteer, or governing board member of a school district, county office of education, charter school, or private school, and includes employees or volunteers assigned to a state special school or diagnostic center operated by the CDE.

**Analysis Prepared by:** Aaron Heredia / APPR. / (916) 319-2081