
UNFINISHED BUSINESS

Bill No: SB 848
Author: Pérez (D), et al.
Amended: 9/5/25 in Assembly
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 4/23/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 4/29/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25
AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Dahle

SENATE FLOOR: 38-0, 6/2/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Hurtado, Reyes

ASSEMBLY FLOOR: 64-0, 9/12/25 – Roll call not available.

SUBJECT: Pupil safety: school employee misconduct: child abuse prevention

SOURCE: Author

DIGEST: This bill (1) establishes new requirements to improve pupil safety by addressing school employee misconduct, clarifying professional boundaries, enhancing comprehensive school safety plans, expanding child abuse prevention training requirements, requiring instructional programming on abuse prevention, and creating a statewide system for tracking employee misconduct investigations.

It also (2) expands the definition and reporting responsibilities of mandated reporters.

Assembly Amendments of 9/5/25 (1) clarify that this bill applies to any position in a private school, (2) authorize the Commission on Teacher Credentialing (CTC) to review records from the statewide data system from credentialed employees, (3) make technical changes to align definitions with the Penal Code, and (4) avoid conflicts with other bills that amend the same code sections this year.

ANALYSIS:

Existing law:

- 1) Requires local educational agencies (LEAs) to adopt and annually review comprehensive school safety plans addressing crime, violence prevention, crisis response, and safe pupil conduct. (Education Code (EC) § 32280-32289)
- 2) Prohibits LEAs from entering into agreements that suppress mandatory reporting of egregious misconduct by school employees, including sexual misconduct. (EC § 44939.5)
- 3) Defines specific offenses as “sex offenses” triggering mandatory reporting and disciplinary action, including suspension and revocation of teaching credentials. (EC § 44010)
- 4) Prohibits employment of individuals convicted of sex offenses, requiring LEAs to conduct background checks through fingerprinting and criminal history records. (EC §§ 44237, 45125)
- 5) Establishes procedures for LEAs to dismiss certificated employees for immoral conduct, unprofessional conduct, or crimes involving moral turpitude. (EC §§ 44932, 44933)
- 6) Requires LEAs to maintain personnel records, including documentation of complaints, investigations, and discipline involving misconduct allegations. (EC § 44031)
- 7) Defines mandated reporters as individuals whose professions involve regular contact with minors, including teachers, administrators, classified employees, and school district police officers. (Penal Code (PEN) § 11165.7)

- 8) Requires mandated reporters to immediately report suspected child abuse or neglect to appropriate authorities and follow up with a written report within 36 hours. (PEN§§ 11165.9, 11166)
- 9) Requires annual training for mandated reporters working in LEAs on recognizing and reporting child abuse and neglect. (EC § 44691)
- 10) Permits LEAs to offer instruction on sexual abuse and sexual assault prevention, including information on available resources for victims and methods of reporting such incidents. (EC § 51950)
- 11) Requires comprehensive sexual health education provided to pupils to include instruction on sexual harassment, sexual assault, adolescent relationship abuse, and human trafficking prevention. (EC §§ 51930-51939)
- 12) Establishes that adults who contact or communicate with minors with the intent to commit specified sexual offenses face criminal penalties. (PEN§ 288.3)
- 13) Sets forth requirements regarding acceptable use policies for school district technology to restrict inappropriate communication between staff and students. (EC § 51871.5)
- 14) Eliminates the statute of limitations for civil actions related to childhood sexual assault occurring on or after January 1, 2024, and previously extended the limitations period for claims occurring before 2024 to 22 years after the victim reaches majority age (AB 218, Gonzalez, Chapter 861, Statutes of 2019; AB 452, Addis, Chapter 655, Statutes of 2023).
- 15) Exempts, permanently childhood sexual assault claims from the Government Tort Claims Act's presentation requirement, allowing claims to go directly to litigation without prior administrative claims filing. (Government Code (GOV) §§ 905, 935)
- 16) Allows courts to order public agencies facing judgments causing unreasonable financial hardship to pay those judgments in annual installments over a maximum of 10 years. (GOV § 970.6)
- 17) Requires CTC to suspend or revoke credentials of school employees for specified misconduct, including sexual misconduct involving pupils. (EC §§ 44421, 44425, 44426)

- 18) Requires LEAs to provide public access to reports of findings from investigations of employee misconduct resulting in discipline. (EC §§ 44932, 45113)

This bill:

- 1) Requires all schools — including school districts, county offices of education, charter schools, private schools, and state special schools — by July 1, 2026, to adopt written policies that promote safe environments for pupils. Policies must include clear standards for professional boundaries between employees, contractors, volunteers, and students, and must explicitly prohibit inappropriate electronic and social media communications.
- 2) Expands comprehensive school safety plans to include procedures for supervision to prevent child abuse, emergency response plans addressing earthquakes, fires, active shooter incidents, sudden cardiac arrest, and opioid overdoses, and requires training for employees and volunteers on these protocols.
- 3) Requires the Superintendent, by July 1, 2026, to develop and disseminate resources and guidance on student instruction regarding abuse prevention, appropriate boundaries, and reporting options. Beginning in 2027, schools may provide this instruction annually using the state-developed materials. Parents retain the right to opt students out.
- 4) Broadens the definition of mandated reporters to explicitly include specified school volunteers, governing board members, and private school employees. Requires annual mandated reporter training covering child abuse reporting, grooming behavior identification, and maintaining professional boundaries.
- 5) Requires enhanced employment screening for certificated and classified employees, requiring LEAs to inquire specifically about prior credible allegations or substantiated misconduct investigations during hiring.
- 6) Establishes a statewide data system managed by the CTC by July 1, 2027, tracking substantiated investigations of employee misconduct accessible to all LEAs and private schools for employment screening.
- 7) Authorizes the CTC's Committee of Credentials to initiate a review based on records in the statewide data system, including substantiated reports or mid-investigation departures.

- 8) Prohibits LEAs from entering agreements or practices designed to conceal or remove credible allegations of employee misconduct from personnel records.

Comments

- 1) *Need for this bill.* According to the author, “More than 75% of states have enacted laws to prevent educator sexual misconduct. California has taken significant steps in this area by implementing policy changes to safeguard both students and employees, and enhance transparency. However, several high profile cases continue to highlight systemic failures and underscore the urgent need for stronger preventive measures and mandates to protect children.

“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 most school employees are dedicated professionals who nurture student growth, disciplinary statutes and post-incident reforms in California lacks a comprehensive approach to preventing abuse in K-12 schools. SB 848 aims to create a safer environment for students by strengthening policies on professional boundaries, school safety plans, and child protection.”

- 2) *Legislative Background and the Fiscal Crisis and Management Assistance Team AB 218 Report.* Recent legislative changes have significantly reshaped California’s legal landscape around childhood sexual assault claims, profoundly affecting schools and public agencies. Assembly Bill 218 (Gonzalez, Chapter 861, Statutes of 2019) dramatically increased liability exposure for schools by extending and, in many cases, reviving expired statutes of limitation for childhood sexual assault claims against educational agencies. Subsequently, AB 452 (Addis, Chapter 655, Statutes of 2023) permanently eliminated these statutes of limitation for claims arising after January 1, 2024. In response to concerns about substantial fiscal impacts on public agencies—estimated by FCMAT to be between \$2–\$3 billion for California schools alone—the

Legislature enacted SB 153 (Committee on Budget and Fiscal Review, Chapter 38 Statutes of 2024), mandating FCMAT to analyze the financial implications and provide recommendations to strengthen prevention, accountability, and fiscal management related to childhood sexual assault in public entities.

The resulting FCMAT AB 218 report underscores the urgent need for enhanced statewide measures, including clearer boundary policies, mandated comprehensive training, improved oversight, and more rigorous employment screening practices, all aimed explicitly at preventing misconduct and mitigating substantial legal and financial risks to California's educational institutions. This bill directly aligns with and implements these critical recommendations, offering a comprehensive legislative response to the concerns and gaps highlighted by FCMAT.

- 3) *Persistent Risks of Adult-to-Student Misconduct and Need for Clear Boundaries.* Despite existing mandated reporting laws and criminal penalties, adult-to-student misconduct remains alarmingly prevalent in schools. Research indicates approximately 10% of students in grades 8-11 experience sexual misconduct by educators. Of these cases, roughly 70% involved grooming, where offenders manipulate students gradually through inappropriate boundary crossing, especially through electronic communication (Shakeshaft, 2018, *Journal of Child Sexual Abuse*). This bill directly addresses these risks by requiring explicit, written professional boundary policies in all LEAs, significantly reducing ambiguity about acceptable adult behaviors toward students.
- 4) *Effectiveness of Mandated Reporter Training in Reducing Abuse and Increasing Reporting.* Effective mandated reporter training significantly improves identification and timely reporting of abuse. According to data from the U.S. Department of Health and Human Services, comprehensive mandated reporter training leads to a significant increase in reporting accuracy and frequency, thus enhancing child protection outcomes. Nonetheless, the U.S. Government Accountability Office reports ongoing challenges, including inconsistent training quality and clarity around reporting responsibilities. This bill addresses these gaps explicitly, expanding mandated reporting responsibilities to volunteers, governing board members, and private school employees, while requiring detailed annual training to improve accuracy and consistency of abuse reporting.

The Necessity of a Centralized Statewide Misconduct Database. Currently, fragmented recordkeeping and inconsistent reporting practices allow individuals with substantiated misconduct histories to move between school employers—particularly in noncertificated positions—without detection. The FCMAT report identified this lack of a coordinated, statewide system as a major vulnerability in pupil protection efforts.

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

According to the Assembly Appropriations Committee:

- 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.
- Minor and absorbable costs to the CDE.

SUPPORT: (Verified 9/12/25)

3Strands Global Foundation
 California Association of School Business Officials
 California Association of School Police Chiefs
 California Coalition of School Safety Professionals
 California Sexual Assault Forensic Examiners Association
 Child Empowerment and Safety
 Consumer Attorneys of California
 Crime Survivors Resource Center
 Enough Abuse
 Inner Circle Children's Advocacy Center
 Los Angeles County District Attorney's Office
 Los Angeles School Police Management Association
 Los Angeles School Police Officers Association
 Office of the Riverside County Superintendent of Schools
 Riverside Police Officers Association
 Riverside Sheriffs' Association
 Schools Excess Liability Fund

OPPOSITION: (Verified 9/12/25)

AFSCME California
California Attorneys for Criminal Justice
California Federation of Teachers
California School Employees Association
Californians United for a Responsible Budget
Smart - Transportation Division
Smart Justice California, a Project of Tides Advocacy
Teamsters California

Prepared by: Ian Johnson / ED. / (916) 651-4105
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