

Date of Hearing: March 20, 2024

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 1913 (Addis) – As Amended March 11, 2024

**[This bill was doubled referred to the Assembly Human Services Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** Pupil safety: child abuse prevention: training

**SUMMARY:** Requires school districts, county offices of education (COE), state special schools, and charter schools to include child abuse prevention in the existing annual mandated reporter training requirement for teachers. Specifically, **this bill:**

- 1) Requires the California Department of Education (CDE), in consultation with the Office of Child Abuse Prevention in the State Department of Social Services (DSS), to develop and disseminate information to all school districts, COEs, state special schools and diagnostic centers, and charter schools, and their school personnel in California, regarding the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and post on the CDE's internet website links to existing training resources, as part of an existing requirement.
- 2) Requires the CDE, in consultation with the Office of Child Abuse Prevention in the DSS, to develop appropriate means of instructing school personnel in the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, including, but not limited to, an online training module to be provided by the DSS, as part of an existing requirement.
- 3) Requires school districts, COEs, state special schools, and charter schools to provide annual training, using the online training module provided by the DSS or as provided to their employees on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, as part of an existing requirement. Requires training on abuse prevention to be provided to school personnel hired during the course of the school year.
- 4) States that it is the intent of the Legislature that the training provided will not add to the duration of existing training requirements but instead only alter the content of those training requirements.
- 5) Deletes the statement that school districts, COEs, state special schools and diagnostic centers, and charter schools are encouraged to participate in training on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and are also encouraged to provide all school employees with that training at least once every three years.

**EXISTING LAW:**

- 1) Requires the CDE, in consultation with the Office of Child Abuse Prevention in the DSS, to do all of the following:

- a) Develop and disseminate information to all school districts, COEs, state special schools and diagnostic centers, charter schools, and their school personnel in California, regarding the detection and reporting of child abuse.
  - b) Provide statewide guidance on the responsibilities of mandated reporters who are school personnel in accordance with the Child Abuse and Neglect Reporting Act.
  - c) Develop appropriate means of instructing school personnel in the detection of child abuse and neglect and the proper action that school personnel should take in suspected cases of child abuse and neglect, including, but not limited to, an online training module to be provided by the DSS.
  - d) Establish best practices for school personnel to prevent abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and post on the CDE's internet website links to existing training resources. (Education Code (EC) 44691)
- 2) Requires school districts, COEs, state special schools and diagnostic centers, and charter schools to do both of the following:
    - a) Provide annual training, using the online training module provided by the DSS or as provided to their employees and persons working on their behalf who are mandated reporters. Requires this training to include information that failure to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor punishable by up to six months confinement in a county jail, and/or by a fine of \$1,000.
    - b) Develop a process for all persons required to receive training to provide proof of completing the training within the first six weeks of each school year or within the first six weeks of that person's employment. (EC 44691)
  - 2) Requires school districts, COEs, state special schools and diagnostic centers, and charter schools that do not use the online training module provided by the DSS to report to the CDE the training being used in its place. (EC 44691)
  - 3) Encourages school districts, COEs, state special schools and diagnostic centers, and charter schools to participate in training on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and are also encouraged to provide all school employees with that training at least once every three years. (EC 44691)
  - 4) Establishes Child Abuse and Neglect Reporting Act (CANRA) which specifies the following types of people are mandated reporters, among others:
    - a) A teacher;
    - b) An instructional aide;
    - c) A teacher's aide or teacher's assistant employed by a public or private school;

- d) A classified employee of a public school;
  - e) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school;
  - f) An employee of a COE or the CDE whose duties bring the employee into contact with children on a regular basis;
  - g) An employee of a school district police or security department; and
  - h) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school. (Penal Code (PC) 11164, et seq.)
- 5) Requires school districts and COEs to create comprehensive school safety plans for their schools; and, requires the school safety plan to include child abuse reporting procedures consistent with Article 2.5 of Chapter 2 of Title 1 of Part 4 of the Penal Code. (Education Code 32282)
- 6) Requires school districts, COEs, state special schools and diagnostic centers, and charter schools to annually train their employees and persons working on their behalf in the duties of mandated reporters under the child abuse reporting laws. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting. (PC 11165.7)
- 7) Requires any mandated reporter, with the exception of child visitation monitors, prior to commencing his or her employment, and as a prerequisite to that employment, to sign a statement on a form provided to him or her by his or her employer to the effect that he or she has knowledge of the mandated reporting procedures and will comply with those provisions; and, requires that the statement inform the employee that he or she is a mandated reporter and inform the employee of his or her reporting obligations and of his or her confidentiality rights. (Penal Code 11166.5)
- 8) Requires that when a person is issued a state license or certificate to engage in a profession or occupation that is a mandated reporter, the state agency issuing the license or certificate to send a statement regarding mandated reporting to the person at the same time as it transmits the document indicating licensure or certification to the person; requires the statement to indicate that failure to comply with the requirements is a misdemeanor, punishable by up to six months in a county jail, by a fine of \$1,000, or by both that imprisonment and fine; and, specifies as an alternative, a state agency may cause the required statement to be printed on all application forms for a license or certificate printed on or after January 1, 1986. (PC 11166.5)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***What does this bill do?*** Existing law requires schools to annually train teachers regarding their duties as a mandated reporter. Existing law encourages schools to train teachers regarding child abuse prevention every three years. This bill adds child abuse prevention to the existing annual training requirement for teachers.

***Need for the bill.*** According to the author, “AB 1913, the Child Abuse Prevention Act, fills an urgent need to ensure safe learning environments for California’s students. AB 1913 will protect children by providing mandated reporters with important education so that they can recognize the signs of grooming and potential abuse before it occurs. School professionals are on the front lines of ensuring children have a safe environment to learn, it’s critical they possess the right knowledge to do this. AB 1913 enhances the ability of mandated reporters to prevent harm by giving them the knowledge to do so. AB 1913 will give educators and other mandated reporters in the K-12 education space more tools to identify abuse before it can occur or escalate. This ability to better identify abuse before it occurs, or utilize practices to minimize the possibility of abuse, will likely have a greater impact on the groups of students that statistically experience the most abuse. While reporting existing abuse is incredibly important, educators should be equipped to help children with both preventative and reactionary measures when it comes to child abuse.”

***Existing training for teachers.*** The DSS in partnership with the CDE, has created a free online mandated reporter training for teachers that is 4 hours in length. The training covers all of the following:

- What the law requires of you as a mandated reporter;
- How to spot indicators of possible child abuse or neglect;
- How to talk to children about suspected abuse;
- How to make a report;
- What happens after a report is filed; and
- Special issues related to child abuse reporting in the school environment.

***Research on child abuse and child abuse prevention training.*** Research about child abuse and child abuse prevention training concludes:

- “Community-based organizations and schools have incorporated child sexual abuse prevention programs into their activities. Some have suggested that the declines in child sexual abuse may be, in part, attributable to sexual abuse prevention programs, norms changes, and social control efforts; therefore, expansion may be beneficial.” (Centers for Disease Prevention and Control and the National Center for Injury Prevention and Control, *Essentials for Childhood*)
- In a study of child sexual abuse prevention training programs, researchers studied the effectiveness of these programs and whether the results were influenced by multiple factors including the duration of the training, the target population, the age of participants, and delivery by type of trainer. The study found, “prevention programs are helpful in improving the participants' knowledge. It seems that carrying out eminently participatory prevention programs with more than three sessions, in school contexts can be an effective intervention for participants to increase their knowledge about this type of abuse.” (Ferragut, 2023)

- “Children with special needs are at particularly high risk for abuse. Children of color, specifically American Indian and African American children are overrepresented in allegations of child maltreatment, with more than 87 per 1000 children in these groups having a report of neglect or abuse in 2020. These rates are more than double the rates for Hispanic/Latino children, more than 2.5 times the rates for white children, and more than 5 times the rates for Asian children.” (California Child Welfare Indicators Project, 2021)

***Arguments in support.*** The California Academy of Child and Adolescent Psychiatry states, “AB 1913's focus on the development and dissemination of comprehensive abuse prevention training for all school personnel across California is a vital measure. By replacing the current requirement of establishing best practices with the mandate to develop and provide detailed information and training, this bill ensures a proactive approach to abuse prevention. This aligns closely with CALACAP's commitment to the mental health and well-being of children and adolescents, as early detection and prevention of abuse are critical to the long-term mental health of our youth. Requirements for annual training on the prevention of abuse, including sexual abuse, reinforce the importance of consistent and updated education for all school personnel. This will not only aid in the early detection of potential abuse cases but also foster an environment where children feel safe and protected.”

***Related legislation.*** AB 1963 (Chu), Chapter 243, Statutes of 2020, makes a human resource employee of a business that employs five or more employees and, also, employs minors a mandated reporter of child abuse or neglect, and a person whose duties require direct contact with and supervision of minors in the performance of the minors duties in the workplace a mandated reporter of sexual abuse for the purpose of the CANRA.

AB 506 (Gonzalez), Chapter 169, Statutes of 2021, requires an administrator, employee, or "regular volunteer" of a youth service organization to complete child abuse and neglect identification training and to undergo a background check.

AB 1058 (Baker), Chapter 748, Statutes of 2015, encourages school districts, COEs, state special schools and diagnostic centers, and charter schools to participate in training on the prevention of abuse, including sexual abuse, of children on school grounds, by school personnel, or in school-sponsored programs, and also encourages schools to provide all school employees with that training at least once every three years.

AB 1432 (Gatto), Chapter 797, Statutes of 2014, required LEAs to annually train employees on their duties regarding the mandated reporting of child abuse and neglect, as specified.

AB 1338 (Buchanan) from the 2013-14 Session would have required the governing board of a school district and COE and the governing body of a charter school, to adopt a policy on the reporting of child abuse and the responsibilities of mandated reporters in accordance with the CANRA and review the mandated reporting requirements with all school personnel within the first six weeks of each school year. This bill was held in the Assembly Appropriations Committee.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Alameda County Office of Education  
American Academy of Pediatrics, California  
Association of California School Administrators  
California Academy of Child and Adolescent Psychiatry  
California Association of Joint Powers Authorities  
Generation Up  
Schools Excess Liability Fund (SELF)

**Opposition**

None on file

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