



Senate California Legislature

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Senator, Twenty-Third District

SB 1456 – Providing Safe Schools Act of 2018

BILL SUMMARY

SB 1456 Strengthens and standardizes screening and hiring practices in schools to protect children from sexual predators and child abuse.

Specifically, this bill prohibits educational agencies from hiring for a position involving direct contact with children, if the person was determined to be responsible for an act of child abuse or sexual misconduct with a child.

Applicants will be required to disclose information and release records regarding allegations, investigations or findings of child abuse or sexual misconduct with a child, unless they have been determined through an investigation to be false.

BACKGROUND

The Center for Disease Control estimates that 1 in 4 girls and 1 in 6 boys are sexually abused before the age of 18 and that 90 percent of child sexual abuse victims know their abuser.

The Constitution of California specifically declares that the right to public safety extends to all campuses, students and staff.

While California educators are mandated reporters under California Penal Code Section 11166.5, and all mandated reporters are required, by law, to report all known or suspected cases of child abuse or neglect, it doesn't always happen.

Four other states have passed similar legislation (Connecticut, Pennsylvania, Nevada and New Jersey where it is awaiting the Governor's signature) with an additional two states currently proposing these requirements (Massachusetts and Oregon).

PROBLEM

The vast majority of teachers and other school employees are dedicated and caring professionals who commit their lives to educating our children. However, as in any profession, there are bad actors. The actions of these individuals need to be dealt with swiftly and appropriately - especially in the education system where these perpetrators are spending time with our children. There have been a number of high profile cases involving educators who have acted inappropriately- taking advantage of their students.

However, too often, school employees who are sexually molesting students are allowed to resign from one school district and simply move on to another without proper reporting –a practice cynically referred to in the education community as “passing the trash.”

Even though mandated reporters failing to make a required report are guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine, we continue to see these tragic cases.

The current system, which should quite obviously stop abuse and prevent employees from preying on students, is failing. It is unbelievably irresponsible to actively conceal a predator by simply allowing them to quietly resign only to pick up in another district and continue on with the abuse.

SOLUTION

SB 1456 requires applicants to provide, in writing, whether the applicant was the subject of an investigation concerning child abuse or sexual misconduct with a child unless the allegations were determined to be false through investigation.

Additionally, the applicant must disclose if they chose to resign, were asked to resign, have been disciplined, or have been separated from employment while under investigation.

The Commission on Teacher Credentialing may suspend or revoke the credential of any certified school administrator who willfully fails to report any misconduct by the applicant.

Strengthening oversight needs to become a priority –preventing predatory teachers from getting back into the classroom and continuing to have access to our children.

SB 1456 will help ensure the protection of our children by requiring information sharing between employers in instances of sexual misconduct and violence.

SUPPORT

Stop Educator Sexual Abuse Misconduct & Exploitation (S.E.S.A.M.E.) (Sponsor)

BILL STATUS

Introduced - 2/16/2018