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# SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** SB 1178  
**Author:** Vidak  
**Version:** February 18, 2016  
**Urgency:** Yes  
**Consultant:** Olgalilia Ramirez  
**Hearing Date:** March 30, 2016  
**Fiscal:** Yes

**Subject:** Superintendent of Public Instruction: child abuse and neglect: poster

## SUMMARY

This bill, an urgency measure, requires the Superintendent of Public Instruction (SPI) to develop a poster that notifies children of the appropriate resources available for reporting child abuse or neglect.

## BACKGROUND

Existing law:

- 1) Establishes the Child Abuse and Neglect Reporting Act and requires all school district teachers and employees are considered to be “mandated reporters,” including instructional aides, teacher assistants, classified employees, and employees of a school district police or security department. Mandated reporters are required to report to any law enforcement department knowledge or observations they may have of a child they know or reasonably suspect to have been the subject of child abuse or neglect. (Penal Code § 11165.7)
- 2) Requires the California Department of Education (CDE), in consultation with the Office of Child Abuse Prevention, to:
  - a) Develop and disseminate information to all school districts, county offices of education, state special schools and diagnostic centers, charter schools and their school personnel regarding the detection and reporting of child abuse.
  - b) Provide statewide guidance on the responsibilities of mandated reporters who are school personnel.
  - c) Develop the appropriate means of instructing school personnel in the detection of child abuse and neglect, as specified.
  - d) Establish best practices for school personnel to prevent abuse, as specified.
- 3) Further requires CDE to adopt guidelines to be disseminated to parents or guardians of pupils that describe the procedures that a parent or guardian can follow in filing a complaint of child abuse with the school or a child protective

services agency against a school employee or other person that commits an act of child abuse against a student at a schoolsite. (EC § 33308.1)

## ANALYSIS

- 1) This bill, an urgency measure, requires the Superintendent of Public Instruction (SPI) to develop a poster that notifies children of the appropriate resources available for reporting child abuse or neglect. Specifically this bill:
  - a) Requires the SPI to:
    - i) Include the appropriate telephone number to report child abuse or neglect.
    - ii) Post on the department's Internet Web site specified versions of the poster for public download.
  - b) Authorizes the SPI to partner with government agencies and nonprofit entities for purpose of design and content.
  - c) Requires that the poster:
    - i) Be no smaller than 8.5 inches by 11 inches.
    - ii) Be produced in Spanish, English and three other languages to be determined by the SPI.
    - iii) Direct children to call "911" in case of an emergency.
- 2) Encourages school districts, charter schools and private schools to post the appropriate version or versions in an area of the school where students frequent.
- 3) Makes the bill an urgency measure in order to meet the deadline requirement established by the bill.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, while mandated reporting laws train school staff to identify the signs of suspected child abuse, children who do not exhibit these signs may not receive the help they need. The author asserts that after posters were placed in Texas schools, the number of calls reporting suspected cases of abuse significantly increased than in prior years. This bill seeks to provide children with greater access to child abuse reporting information by encouraging schools to display a poster, developed by the SPI, in areas where children congregate.
- 2) ***Information directed to students.*** It appears that very little information related to child abuse awareness is directed to children in schools. Health education content standards, developed by the California Department of Education, include strategies to promote child abuse awareness directly to students. However,

information included in the standard does not ensure actual instruction. Other tools and resources related to identifying the signs of child abuse or reporting cases of suspected child abuse are geared toward adults who are mandated reporters such as teachers and other school employees.

- 3) ***Is this the appropriate remedy?*** Notwithstanding the seriousness of this issue, is legislation necessary for the development of a poster? Could the author simply request that the Superintendent of Public Instruction undertake the activities outlined in the bill?

**SUPPORT**

Children's Advocacy Centers of California

**OPPOSITION**

None received.

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