

CLIENT NEWS BRIEF

Governor Signs Bills Regarding Mandated Reporting and Interdistrict Attendance

On July 9, 2014, the Governor signed two Assembly Bills (AB) into law on student-related issues. AB 2560 clarifies the state's mandated reporting requirements and AB 1851 extends the sunset date of the law that allows certain county boards of education to have a longer period of time to decide interdistrict transfer appeals.

AB 2560: Mandated Reporting

All school district teachers and employees are "mandated reporters" under California's child abuse and prevention laws and, therefore, are required to report when they know or reasonably suspect a child was the subject of abuse or neglect. According to the author of AB 2560, there is a "growing trend where mandated reporters have reported suspected child abuse or neglect only to school administration and not to law enforcement or child protective services."

AB 2560 addresses this concern by requiring new or renewing credential applicants to attest by electronic signature that they have read and understand a statement about their duties under the Child Abuse and Neglect Reporting Act (Penal Code § 11164 et seq.). New credential applicants that apply using a paper form must also attest by signature that they have read and understand their child abuse reporting obligations. The new law specifies the language of the statement that credential applicants must read and sign, which makes the reporting criteria, procedure, and penalties of failure to report very clear. Although the actual reporting requirements remain unchanged, this bill forces credentialed personnel to acknowledge that they know what the requirements are. Recent high-profile cases of failure to report have made this subject a focus of legislative attention, including efforts to require periodic training for mandated reporters. Lozano Smith will issue a separate update if such training requirements are actually imposed.

AB 1851: Interdistrict Attendance

Under current law, a parent or guardian may request that a student be allowed to enroll in the schools of a district in which the parent or guardian does not reside. (Ed. Code § 46600 et seq.) If they do not receive approval within 30 calendar days of their request, or if their request is denied, the requestor has a right to appeal to the county board of education. Generally, county boards of education must determine whether to grant the appeal within 30 calendar days. However, county boards of education in Class 1 counties (those counties that in the 1994-95 fiscal year had more than 500,000 annual units of regular aggregate countywide average daily attendance (ADA)) or Class 2 counties (1994-95 countywide ADA of at least 180,000 but less than 500,000) have a longer period of time and must reach a decision within 40 school days after the appeal is filed.

The longer period of time granted to Class 1 and Class 2 counties was set to sunset on July 1, 2015. AB 1851 extends the sunset to July 1, 2018. According to the author of the bill, the extra time makes it easier for county boards of

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education to process appeals, which is important because appeals have increased since last year. No substantive changes were made to existing law and non-Class 1 or 2 counties still receive 30 calendar days to determine whether to grant an appeal.

Lozano Smith provides workshops and training on mandatory reporting and interdistrict transfers and appeals. For assistance or questions with these issues, please contact one of our [eight offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).