

## SB 848: California Legislature Imposes Additional Administrative Requirements on K-12 Schools Intended to Enhance Student Safety

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Senate Bill (SB) 848, signed into law on October 7, 2025, and effective January 1, 2026, is a sweeping piece of legislation intended to enhance student safety by: (1) extending Assembly Bill (AB) 2534's school employee misconduct disclosure requirements; (2) requiring written policies clarifying professional boundaries; (3) strengthening comprehensive school safety plans; (4) expanding the group of individuals who are mandated reporters; (5) revising child abuse prevention training content; (6) providing instructional programming on abuse prevention; and (7) creating a Statewide system for tracking egregious misconduct by non-certificated employees.

### **New Requirements effective January 1, 2026**

- **Enhanced Employment Screening for All Applicants, Not Just Certificated Applicants**

Legislation adopted last year, AB 2534, which took effect January 1, 2025, requires applicants for *certificated* positions at a local educational agency (LEA) to provide their prospective employer with a complete list of every LEA they previously worked for. Under AB 2534, hiring LEAs must ask the former employer LEAs about any credible complaints of, substantiated investigations into, or discipline issued for "egregious misconduct" (as defined in Education Code section 44932 (a)(1)) involving the applicant which the former employer LEA reported to the California Commission on Teacher Credentialing (CTC). The former employer LEA must provide the hiring LEA with a copy of all relevant information within its possession that was reported to the CTC. (See Lozano Smith's [2024 Client News Brief Number 47](#).) SB 848 extends these requirements to private schools and diagnostic centers operated by the California Department of Education (CDE). SB 848 also adds section 44051 to the Education Code, which imposes similar disclosure requirements for applicants applying to non-certificated (i.e., classified and temporary) positions.

In other words, now, *every* individual who is applying to a K-12 school district, county office of education, K-12 charter school, State special school, diagnostic center operated by the CDE, or a private K-12 school must provide their prospective employer with a complete list of every school employer they previously worked for. The hiring employer must ask the listed former employer(s) for any documentation/information in its possession related to credible complaints against, substantiated investigations into, or discipline issued to the applicant for egregious misconduct.

- **New Definition of Sex Offense**

SB 848 amends Education Code section 44010 to add the following Penal Code sections: 288.3 (contacting a minor with the intent to commit a felony against them, which can include serious felonies like sexual offenses), 288.4 (solicitation of a minor for lewd purposes), and 647(c)(2) (second conviction of felony sexual offense with a minor). This means that as of January 1, 2026, moving forward, no individuals who have been convicted of these crimes can be hired or retained in employment by a K-12 school district, county office of education, K-12 charter school, State special school, or diagnostic center operated by the CDE.

- **Expanded Application of Prohibition of Agreements not to Report**

Existing law prohibits LEAs from executing agreements with an employee that allow for non-reporting or expunging credible complaints of egregious misconduct from the employee's personnel file. SB 848 extends this prohibition to private schools and diagnostic centers operated by CDE.

### **New Requirements effective July 1, 2026**

- **Adoption of Written Policies Addressing Professional Boundaries**

By July 1, 2026, K-12 school districts, county offices of education, K-12 charter schools, State special schools, diagnostic centers operated by CDE, and private schools must adopt written policies that explicitly identify appropriate boundaries between students and school employees; students and adult volunteers; students and contractors/vendors; among and between students; and among and between adults employed, volunteering, or under contract with the educational institution. The written policies must also explicitly establish appropriate limits on communication during or outside of the school day between students and school employees; students and volunteers; students and contractors/vendors; among and between students; and among and between adults employed, volunteering, or under contract with the educational institution, including but not limited to communications via social media platforms or text messages. K-12 school districts, county offices of education, K-12 charter schools, State special school, diagnostic centers operated by CDE, and private schools are encouraged to work with their joint power authority or insurance provider to identify and include best practices into their written policies.

- **Revisions to Comprehensive School Safety Plans and Training for All Employees Regarding the Same**

By July 1, 2026, K-12 public school districts and county offices of education must revise their existing comprehensive school site safety plans (Safety Plan) to include the following new components:

- Procedures specifically designed to address the supervision and protection of students from child abuse or neglect (as defined in Penal Code section 11165.6) and from sex offenses (as defined in Education Code section 44010).
- An assessment of all violent crimes (as defined in Education Code Section 32281, subdivision (g)(4)), as opposed to just school related crime, and all sex offenses committed on its property or during sponsored programs, activities, and events.

- A procedure by which principals, or a designee, are authorized to send notice to each student's parent or guardian when a violent crime, as opposed to just school related crime, or a sex offense is committed on its property or during sponsored programs, activities, and events.

K-12 public school districts and county offices of education are encouraged to work with their joint powers authority or insurance provider, as well as relevant community partners, to identify and include best practices into their Safety Plans.

All employees of K-12 public school districts and county offices of education must be trained on the revised Safety Plans. SB 848 does not specify a deadline by which employees must be trained.

SB 848 provides that small school districts (fewer than 2,501 units of ADA at the beginning of each fiscal year) need only create one district-wide Safety Plan that is applicable to each school site, as opposed to multiple Safety Plans unique to each school site.

- **Expanded Definition of Mandated Reporters and Revisions to Content of Mandated Reporter Training**

SB 848 expands the definition of "mandated reporters" to include (1) all school employees; (2) volunteers (as defined in Penal Code section 11165.7); (3) contractors; and (4) governing board members.

By July 1, 2026, K-12 school districts, county offices of education, K-12 charter schools, State special schools, diagnostic centers operated by CDE, and K-12 private schools must provide annual training (and track the same) to all employees, volunteers, contractors, and board members on the following topics: (1) mandated reporting requirements; (2) punishment for failure to complete a mandated report; (3) prevention of abuse, including sexual abuse and assault; and (4) professional boundaries. Mandated reporters must be trained within six weeks of initial hire/provision of services or, if a returning mandated reporter, within the first six weeks of the school year. K-12 school districts, county offices of education, K-12 charter schools, State special schools, diagnostic centers operated by CDE, and K-12 private schools are encouraged to use the online training module provided by the California Department of Social Services. If not using that module, the alternative module used must be approved by the K-12 school district, county office of education, K-12 charter school, State special school, diagnostic center operated by CDE, or K-12 private school's joint powers authority or insurance provider.

- **Create and Implement Student Instruction on the Topic of Preventions of Sexual Abuse and Assault**

SB 848 authorizes, but does not require, K-12 school districts, county offices of education, K-12 charter schools, State special schools, diagnostic centers operated by the CDE, and private K-12 schools to provide annual, age-appropriate instruction to students on the topic of prevention of sexual abuse and assault. If the LEA chooses to provide such instruction, the LEA must provide an opt-out process for parents or guardians.

## New Requirements effective July 1, 2027

- **Statewide Database Operated by the CTC and New Reporting Requirements**

Existing law requires LEAs to notify the CTC when a certificated employee has a change in employment status because of an allegation of misconduct, or while an allegation of misconduct is pending. Currently, there is no corresponding requirement for non-certificated (i.e., classified and temporary) employees.

SB 848 provides the following: (1) by July 1, 2027, the CTC must develop and maintain a statewide database to track information related to complaints of egregious misconduct against non-certificated employees and investigations into the same, and (2) LEAs will have to notify the CTC of information related to complaints of egregious misconduct against non-certificated employees and investigations into the same.

***Notably, the creation and implementation of this Statewide database is contingent upon the legislature appropriating funds for the creation of the database. If the funds are not appropriated, these requirements do not go into effect. Lozano Smith continues to monitor legislative activity to determine whether these new requirements will take effect in 2027.***

### Takeaways

SB 848 imposes significant additional administrative tasks. To meet the upcoming statutory deadlines, we recommend the following next steps:

By January 1, 2026:

- Update existing application forms for all positions to ensure that the form contains language requiring the applicant to list all prior school employers and contain space for the applicant to do so.
- Review existing AB 2534 procedures for identifying documentation/information in your possession related to credible complaints against, substantiated investigations into, or discipline issued to certificated employees for egregious misconduct, to see if the same procedures can be used for non-certificated employees.
- Review existing AB 2534 procedures related to asking former employers for documentation/information in their possession related to credible complaints against, substantiated investigations into, or discipline issued to the certificated applicant for egregious misconduct to see if the same procedures can be used for non-certificated applicants.
- When determining whether a conviction prohibits employment, consider convictions for newly added crimes.

By July 1, 2026:

- Work with joint powers authority or insurance provider to identify best practices for addressing professional boundaries. Revise existing, or adopt new, written policies to address professional boundaries that include identified best practices and new content requirements.

- Work with joint powers authority or insurance provider to identify best practices for addressing new requirements for Safety Plans. Revise existing Safety Plans to include identified best practices. Develop a plan to train all employees on revised Safety Plans.
- Looking into using online training module provided by CDE related to duties of Mandated Reporters. If using an alternative module, update content to include new requirements and have the same approved by joint powers authority or insurance provider. Develop a plan to train all employees, volunteers, contractors/vendors, and board members on the duties of Mandated Reporters.
- Develop content for annual, age-appropriate instruction to students on the topic of prevention of sexual abuse and assault. Develop a parent opt-out process. Develop a plan for implementing both.

If you have any questions about SB 848 or laws regarding child abuse prevention in schools in general, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

*As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.*