



LAW UPDATE LABOR AND EMPLOYMENT

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CHILD ABUSE AND NEGLECT MANDATED REPORTER TRAINING - **UPDATE**

As we earlier reported to you, as of January 1, 2015, state law now requires school districts and county offices of education to train all employees who are mandated reporters regarding child abuse and neglect detection and identification, mandated reporter obligations, and procedures under the Child Abuse and Neglect Reporting Act (CANRA).¹ Existing employees must provide proof of training completion within the first six weeks of each school year and employees hired after the start of the school year, must show proof within the first six weeks of their employment. The proof of completion can include the use of a sign-in sheet or certificate of completion.²

The new law tasked the California Department of Social Services and the California Department of Education with developing and publishing a legally-compliant online training module specifically for educators. The State-approved online training module was officially launched on February 23, 2015 and can be found at the following online address: <http://educators.mandatedreporter.ca.com/default.htm>. When announcing the launch of the training module, State Superintendent of Public Instruction Tom Torlakson noted, “Nothing is more important than the safety of our students. The new online training lessons will help school employees carry out their responsibilities to protect children and take action if they suspect abuse or neglect.”

In addition to the online CANRA training, the California Department of Education also recently updated its Child Abuse Prevention webpage to provide many helpful resources. Each school district or county office may wish to visit the following online address for further information: <http://www.cde.ca.gov/lr/ss/ap/>.

¹ Penal Code section 11164 and following. The training must also specifically include information that the failure to report an incident of known or reasonably suspected child abuse or neglect, as required, is a misdemeanor punishable by up to six months' confinement in a county jail, or by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine.

² See Education Code section 44691(b). While districts could opt to train all existing employees within the first six weeks after the bill took effect on January 1, 2015, this does not appear to be mandated by the legislation. Rather, the legislation requires CANRA training within the first six weeks of each school year, which we believe translates to the first six weeks of the first school year after the law took effect (2015-16). The office of AB 1432's author, Assembly Member Gatto, confirms our interpretation meets the author's understanding and is also the California Department of Education's interpretation of the timing requirement.

The State-produced CANRA training is a free, self-paced training module designed specifically for mandated reporters in the education field. The training takes approximately one hour to complete, including the successful passage of a brief final test. A certificate of completion is then emailed to the participant. The training is comprehensive, at times moving with pictures and videos regarding child abuse, and overall very informative. Among other things, the training includes the following:

- Detailed information on identification of child abuse and neglect
- Detailed information on the individual reporting obligations of each mandated reporter/employee
- Helpful tips regarding speaking with children in abusive situations
- Discussions regarding scenarios when another educator is the alleged perpetrator
- Considerations regarding situations involving children with disabilities

Although the State-produced training is dense and may be cumbersome for many employees, a yearly in-depth training on a topic of this importance will be highly valuable.

As previously reported, alternative training methods are permitted under the law, so long as they address the content required in the statute. If a district or county office chooses to use an alternative method, it must notify the California Department of Education using the attached “Reporting on Alternative Training Provided for Mandatory Reporters” form. The district or county office using an alternative training will need to provide the name or title of the training, contract information for the training provider, and a description of the training or an outline of the training.

For those districts and county offices of education which are members of SISC II, an online module has been developed which meets the requirements of the new law. It requires approximately 30 minutes to complete. To log in and access this module or for questions regarding it, please visit the following online address: <http://www.getssafetytrained.com> and/or contact Ms. Sandi Harville, SISC Property & Liability at (661) 636-4604.

If your district or county office of education would prefer a live presentation regarding CANRA or would be interested in viewing a pre-recorded live presentation or a webinar satisfying the requirements of the new law, please contact Schools Legal Service. Our attorneys remain available to present on this topic to a single district or a group of neighboring districts.

If you have any questions concerning this issue, please do not hesitate to contact our office.

– Melissa H. Brown

Labor and Employment Law Updates are intended to alert clients to developments in legislation, opinions of courts and administrative bodies and related matters. They are not intended as legal advice in any specific situation. Please consult legal counsel as to how the issue presented may affect your particular circumstances.

**REPORTING ON ALTERNATIVE TRAINING PROVIDED
FOR MANDATORY REPORTERS**

California requires that school employees receive annual training on the identification and reporting of child abuse and neglect. The California Department of Education (CDE), in conjunction with the California Department of Social Services (CDSS), provides an online training module for this purpose. California *Education Code* Section 44691(c) requires that "School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools that do not use the online training module provided by the State Department of Social Services shall report to the State Department of Education the training being used in its place."

For the convenience of school districts, the CDE has prepared this form for districts that are required to report the alternative training methods used.

School district notification to the CDE may be submitted by e-mail, mail, or fax to:

Stephanie Papas
School Health Education Consultant
California Department of Education
1430 N Street, Suite 6408
Sacramento, CA 95814-5901
E-mail: spapas@cde.ca.gov
Fax: 916-319-0218

School District: _____

Superintendent Signature

Date

Contact information for person submitting this form:

Name: _____

Phone/E-mail: _____

Name/Title of alternate training: _____

Contact information for training provider: _____

Provide a description of the training, including topics covered; you may also attach an outline from the training used.

A large, empty rectangular box with a black border, intended for an optional response.

Optional: The CDE is interested in learning why alternate training was used. In the space below, please explain the reasons why the district did not use the training in the duties of mandated reporters created by the CDSS.

A large, empty rectangular box with a black border, intended for an optional response.