



DATE: March 1, 2023

TO: Board of Education

FROM: Carmen Diaz Ghysels, Superintendent Chief Learning Officer

SUBJECT: First Read of Proposed Revisions of Board Policy and Administrative Regulation 5141.4, Child Abuse Prevention and Reporting

PRESENTED BY: Annamarie Cohen, Executive Director of Student Service

ACTION REQUESTED

First Read of Proposed Revisions of Board Policy and Administrative Regulation 5141.4, Child Abuse Prevention and Reporting

BACKGROUND INFORMATION

Regulation updated to reflect **NEW LAW (AB 1145, 2020)** which amends the definition of sexual assault for purposes of mandated reporting to not include voluntary conduct in violation of Penal Code 286, 287, or 289 (sodomy, oral copulation, or sexual penetration) if there are no indicators of abuse unless such conduct is between a person who is 21 years of age or older and a minor who is under 16 years of age. Regulation also adds licensees of licensed child day care facilities to the list of mandated reporters, reflects that the California Department of Justice form is now titled BCIA 8572, clarifies that when a staff member or volunteer aide is selected by a child to be present at an interview where child abuse is being investigated that the principal or designee inform the person of specified requirements prior to the interview, and reflects **NEW STATE REGULATION (Register 2020, No. 21)** which authorizes parents/guardians of special education students to file a complaint with CDE for safety concerns that interfere with the provision of a free appropriate public education pursuant to 5 CCR 3200-3205 rather than through uniform complaint procedures.

RESOURCES REQUIRED: N/A

PREPARED BY: Becca Wing, Administrative Assistant