

# Countywide Substitute Registration Overview

The requirements include:

- Valid California Teaching Credential (or California Services Credential), or a valid substitute permit
- Valid fingerprint clearance with the Commission on Teacher Credentialing **and** the Marin County Office of Education
- Provide immunizations
- Complete two online trainings
- Complete two fillable forms

On page 23, there is a checklist that links the above topics to specific page numbers.

There are three options to submit a completed packet:

1. Schedule a meeting by visiting: <https://calendly.com/aridings>  
OR
2. Mail the completed packet to P.O. Box 4925, San Rafael, 94913 and include “Attn: Amy Ridings” or Attn: Credentials Analyst” on the envelope.  
OR
3. Drop off the packet. There’s a locked inbox outside the Credentials Analyst’s office. The office is open 7:30a.m. – 4:30p.m. Monday through Friday at 1111 Las Gallinas Ave, San Rafael.

For security purposes, emailed documents are not accepted.

# Emergency Substitute Permit Applications Requirements

## **Emergency 30 Day Permit Application Requirements**

Mail or deliver the following items to the Credentials Analyst at the Marin County Office of Education:

- Official transcripts showing a conferred Bachelor's degree.
- Proof of meeting the Basic Skills Requirement.
- Complete the live scan for the Commission on Teacher Credentialing.

## **Prospective Teachers Emergency Substitute Permit Application Requirements:**

Mail or deliver the following items to the Credentials Analyst at the Marin County Office of Education:

- Official transcripts showing completion of 90 college semester units or more.
- Proof of current enrollment in a higher education institution.
  - This can be met one of two ways:
    - Transcripts showing your current work in progress.
    - A letter from the Registrar of the Office of Admissions with an original ink signature.
- Complete the live scan for the Commission on Teacher Credentialing.

# TRANSCRIPT FORMAT OPTIONS

The Commission on Teacher Credentialing requires official transcripts showing the conferral of a baccalaureate degree from a regionally accredited college or university.

Transcripts may be provided electronically or via paper:

- Electronic transcripts need to be emailed directly to me from the institution.
  - The email address to send the transcripts to is [aridings@marinschools.org](mailto:aridings@marinschools.org).
- If providing paper transcripts, the document can be submitted with the registration packet.
  - The envelope can be unopened or opened.

If you attended an institution outside the United States for your Bachelor's degree, you will need to complete a foreign transcript evaluation by a Commission approved agency.

The list of Commission-approved agencies is available at the following link:

[https://www.ctc.ca.gov/docs/default-source/leaflets/cl635.pdf?sfvrsn=bb4f6e6a\\_14](https://www.ctc.ca.gov/docs/default-source/leaflets/cl635.pdf?sfvrsn=bb4f6e6a_14).

It's important to note:

- If you are only applying for an Emergency 30 Day Permit, a general report is sufficient.
- If you also have a teaching credential/license and/or higher degree(s), and are considering transferring your teaching certifications soon, I recommend the detailed, course-by-course evaluation for all of your degrees and teaching certifications.
- The evaluation **must be submitted** in a sealed, unopened envelope.

# HOW TO MEET THE BASIC SKILLS REQUIREMENT

The basic skills requirement verifies that an applicant has met the basic skills proficiency standard before a credential, certificate, or permit will be granted by the Commission on Teacher Credentialing.

To learn more about the Basic Skills Requirement and the various options, visit:

<https://www.ctc.ca.gov/docs/default-source/leaflets/cl667.pdf>.

You will need to satisfy the Basic Skills Requirement by **one** of the following options:

- 1. Pass the CBEST** (*Passing exam scores used to meet the basic skills requirement remain valid indefinitely.*)

For information on the exam, please visit: <http://www.ctcexams.nesinc.com/>

- 2. Pass the Multiple Subject CSET plus the Writing Skills Examination** (*Passing exam scores used to meet the basic skills requirement remain valid indefinitely.*)

The Multiple Subject CSET test codes are 101, 214, and 103. The Writing Skills Examination test code is 142.

For information on the exams, please visit: <http://www.ctcexams.nesinc.com/>

- 3. Pass the CSU Early Assessment Program or the CSU Placement Examinations** (*Passing exam scores used to meet the basic skills requirement remain valid indefinitely.*)

CSU EAP Placement Tests (taken in Spring of 11 <sup>th</sup> grade)		
	Math	English
Early Assessment Program (EAP)	'College Ready' or 'Exempt'	'College Ready' or 'Exempt'
CSU Placement Tests		
	Math	English
Entry Level Math (ELM)	50*	
English Placement Test (EPT)		151

*\*ELM tests taken prior to March 2002 required a minimum passing score of 550.*

#### 4. Achieve a qualifying score on the SAT or ACT

The Commission on Teacher Credentialing requires an official score report (one that is **not** printed from your online account). High school transcripts that include the scores are not accepted.

To order an official score report, contact the College Board or ACT and have the score report mailed directly to you. Submit the score report with your registration packet.

College Board SAT (taken <i>after</i> March 2016)	Math	Evidence-Based Reading and Writing
Qualifying Scores	570	560

College Board SAT (taken <i>before</i> March 2016)	Math	Critical Reading (or Verbal)
Qualifying Scores	550	500

*Note: In 1995, the SAT scores were re-centered. If you took the exam prior to 1995 and your original scores do not meet the qualifying score requirement, your re-centered scores may now meet the qualifying score requirement.*

The College Board’s contact information is available at the following link:

<https://about.collegeboard.org/contact-us?navId=gf-contact>.

(ACT)	Math	English
Qualifying Scores	23	22

ACT’s contact information is available at the following link:

<https://www.act.org/content/act/en/contact-act.html>.

#### 5. College Board Advanced Placement (AP) Examination

Examination	Math	English
College Board Advanced Placement Examinations	Score of 3 or above on one of the following: <ul style="list-style-type: none"> <li>• AP Calculus AB</li> <li>• AP Calculus BC</li> <li>• AP Statistics</li> </ul>	Score of 3 or above on one of the following: <ul style="list-style-type: none"> <li>• AP English Language and Composition</li> <li>• AP English Literature and Composition</li> </ul>

## 6. Pass a Basic Skills Examination from another State

To see if an exam from your state qualifies, visit:

[https://www.ctc.ca.gov/credentials/leaflets/basic-skills-requirement-\(cl-667\)/out-of-state-basic-skills-exams-chart](https://www.ctc.ca.gov/credentials/leaflets/basic-skills-requirement-(cl-667)/out-of-state-basic-skills-exams-chart).

## 7. Meet the Basic Skills Requirement by Coursework

The transcripts must show passage of courses in reading, writing, and mathematics.

The courses must:

- have been taken at a regionally-accredited college or university for credit,
- passed with a grade of B or better,
- be degree applicable, and
- be either 3 semester or 4 quarter units.

The following courses meet proficiency:

- **For reading:** a course in critical thinking, literature, philosophy, reading, rhetoric, or textual analysis.
- **For writing:** a course in composition, English, rhetoric, written communication, or writing.
- **For mathematics:** a course in algebra, geometry, mathematics, quantitative reasoning, or statistics.

The following types of courses **do not meet** proficiency:

- Professional development courses
- Continuing education units
- In-service trainings/workshops

## 8. Meet the Basic Skills Requirement by Coursework and Exam

This option is only available through a Commission-approved preparation program.

**REQUEST FOR LIVE SCAN SERVICE**

FORM 41-LS Rev. 04/15

**Applicant Submission**

ORI: <u>          <b>A0281</b>          </u>	Type of Application: <u>          <b>License/Certification/Permit</b>          </u>	<b>Section 1</b>
Code assigned by DOJ		
Job Title or Type of License, Certification or Permit: <u>          <b>TEACHER CRED 44340 EC</b>          </u>		

Agency Address Set Contributing Agency: _____			<b>Section 2</b>
<b>CASM TEACHER CREDENTIALING</b>		<b>03294</b>	
Agency authorized to receive criminal history information		Mail Code (five-digit code assigned by DOJ)	
<b>1900 Capitol Avenue</b>			
Street No.	Street or PO Box	Contact Name (Mandatory for all school submissions)	
<b>Sacramento</b>	<b>CA</b>	<b>95811-4213</b>	
City	State	Zip Code	Contact Telephone No.

<b>Section 3</b>			
*Name of Applicant: _____			
(Please print)		Last	First
		MI	
*Alias: _____		*Driver's License No: _____	
Last		First	
*Date of Birth: _____		*Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	
		Misc. No. BIL - _____	
		Agency Billing Number	
*Height: _____		*Weight: _____	
		Misc. Number: _____	
*Home Address: _____			
*Eye Color: _____		*Hair Color: _____	
		Street No. Street or PO Box	
*Place of Birth: _____			
City, State and Zip Code			
*Social Security Number (full): _____		* Required Fields	

*OCA Number: _____		<b>Section 4</b>	
(SSN OR ITIN#)			
If resubmission, list Original ATI Number: _____		Level of Service: <input checked="" type="checkbox"/> DOJ <input checked="" type="checkbox"/> FBI	

<b>SUPPLEMENTAL AGENCY/EMPLOYER</b>			<b>Section 5</b>
(County Office of Education/School District)			
Employer Name _____			
Street No.	Street or PO Box	Mail Code (COE/SD five digit code assigned by DOJ)	
City	State	Zip Code	( ) Agency Telephone No. (optional)

<b>Section 6</b>		
Live Scan Transaction Completed By: _____		
Name of Operator	LSID	Date
Transmitting Agency _____	ATI No. _____	Amount Collected/Billed _____

**REQUEST FOR LIVE SCAN SERVICE**

BCII 8016A (3/07)

**Applicant Submission for Public Schools or Joint Powers Agencies**

**ORI:** A0572  
Code assigned by DOJ

Type of Applicant: (check one)  Classified School Emp.  Credentialed School Emp

**The following selections are for Public Schools only:**

License, Certification, Permit  Peace Officer  Law Enforcement Personnel  Volunteer

Job Title or Type of License, Certification or Permit: \_\_\_\_\_

Agency Address Set Contributing Agency: Marin County Office of Education 01833

Agency authorized to receive criminal history information 1111 Las Gallinas Avenue Mail Code (five-digit code assigned by DOJ) Amy Ridings

Street No. San Rafael, CA 94903 Contact Name (Mandatory for all school submissions) (415) 499-5863

City San Rafael State CA Zip Code 94903 Contact Telephone Number (415) 499-5863

Name of Applicant: (Please print) \_\_\_\_\_  
Last First Middle Initial

AKA's: \_\_\_\_\_ CDL No. \_\_\_\_\_  
Last First

DOB: \_\_\_\_\_ SEX:  Male  Female Misc. No. **BIL** Applicant pays all fees.  
Agency Billing Number

HT: \_\_\_\_\_ WT: \_\_\_\_\_ Misc. No. \_\_\_\_\_

EYE Color: \_\_\_\_\_ HAIR Color: \_\_\_\_\_ Home Address: (Applies only if Youth Org. / HRA or Public Utility submission)

POB: \_\_\_\_\_ Street or P.O. Box \_\_\_\_\_

SOC: \_\_\_\_\_ City, State and Zip Code \_\_\_\_\_

Your Number: \_\_\_\_\_  
OCA No. (Agency Identifying No.)

If resubmission, list Original ATI No. \_\_\_\_\_

Level of Service:  DOJ  FBI

Live Scan Transaction Completed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name of Operator

Transmitting Agency \_\_\_\_\_ ATI Number \_\_\_\_\_ Amount Collected/Billed \_\_\_\_\_

ORIGINAL-Live Scan Operator; SECOND COPY - Applicant; THIRD COPY (if needed) - Requesting Agency





## LIVE SCAN FINGERPRINTING LOCATIONS

6/9/14

Marin County	Location	Appt. Phone	Hours of Operation	Directions/Comments
Sheriff's Office	1600 Los Gamos Drive, Ste. 200 San Rafael, CA 94903	415-499-7286	Monday – Thursday 7:30 a.m. – 12:00 p.m. 1:10 p.m. – 4:30 p.m. <b>By Appointment only</b>	Hwy 101 to Exit 456 – Lucas Valley Rd/Smith Ranch Rd; Left on Lucas Valley Rd; Left on Los Gamos Rd
Marin City Substation	850 Drake Avenue Marin City 94965	415-332-5422	Every other Monday Sunday 8:00 a.m. - 3:00 p.m. Tuesday – Friday 8:00 a.m. – 3:00 p.m. <b>Same Day appointments only</b>	Hwy 101 to Marin City/Sausalito exit, turn right at the signal light, pass the Gateway Shopping Center on your right. Go to stop sign at the far end of the shopping center, turn left onto Drake. The substation will be 200 feet up on the left. <b>By Appointment Only</b> – call in the a.m.
Ameriprints	4040 Civic Center Dr., #200 San Rafael, CA 94903	707-588-9866	M-F 9-5 <b>By Appointment Only</b>	
Bay Area Community Resources (BACR)	171 Carlos Drive San Rafael 94903	510-559-3018 <a href="mailto:jhinojoza@bacr.org">jhinojoza@bacr.org</a>	Monday <b>By Appointment Only</b> \$25.00 fee (might have changed)	Hwy 101 to Redwood Highway, turn right on Mitchell Boulevard, turn left on Carlos Drive. Mobile service available for 10 or more individuals
<b>The UPS Store</b>	<b>1005 Northgate Dr. San Rafael, CA 94903</b>	<b>415-507-1961</b>	<b>Monday – Saturday 10:00 a.m. – 4:00 p.m. \$35 fee</b>	<b>No appointment needed Hours Operation: 9 to 4 Monday – Saturday</b>
Mill Valley Police Department	1 Hamilton Drive Mill Valley, CA 94941	415-389-4100 <a href="mailto:spatton@cityofmillvalley.org">spatton@cityofmillvalley.org</a>	Monday – Thursday 8:00 a.m. – 4:00 p.m. <b>By Appointment Only</b>	Call for an appointment
The UPS Store	936 B 7 <sup>th</sup> Street Novato, CA	415-899-1686	Monday – Saturday 9:00 a.m. – 4:00 p.m. \$35.00 fee	Walk-ins between 9:00 a.m. – 4:00 p.m. Appointment needed if after 4:00 p.m.
Sonoma County	Location	Appt. Phone	Hours of Operation	Directions/Comments
Sebastopol Police Department	6850 Laguna Parkway Sebastopol	707-829-4400 Walk-in basis only	Tuesday, Wednesday, & Thursday 10:30 a.m. - 2:30 p.m.; Saturday 9:00 a.m. – 12:00 p.m.	Hwy 101 to Hwy 12 West. 10 miles to the town of Sebastopol, right at the second signal light onto Petaluma Avenue. Proceed for 1.5 blocks. The road curves to the left but continue to go straight onto Laguna Parkway. <b>Cash only</b> - \$20.00 fee
Sonoma COE	5340 Skylane Boulevard Santa Rosa	707-524-2812	Monday – Friday 8:00 a.m. – 4:30 p.m. <b>Exact cash only</b>	Hwy 101 to Airport Boulevard. Head west 1 mile to Skylane Boulevard, turn right – 2 <sup>nd</sup> driveway on right. Enter through front double doors to reception desk.
Tru Scan	2324 4 <sup>th</sup> Street, Santa Rosa	707-566-7226	M-F 9-6, Walk-ins welcome	
Ameriprints	5685 Redwood Dr. #101 Rohnert Park	707-588-9866	Monday – Friday 9:00 a. m. -2:30 p.m. 4:00 – 6:00 p.m. Sat – 10:00 a.m. – 3:00 p.m.	Walk-ins or appointment. Debit & Credit cards accepted.
California	Locations	Telephone	Website	
L-1 Identity Solutions	Numerous locations throughout California	800-315-4507	For California requirements and locations, fingerprinting appointment scheduling online, and forms, go to: <a href="http://www.l1id.com">www.l1id.com</a> (Fingerprinting Services)	

For a complete listing for the State of California: <http://caag.state.ca.us/fingerprints/publications/contact.php>

# 2022/2023 SUBSTITUTE TEACHING FORM

<p><b>INSTRUCTIONS:</b>  <i>New Registrant:</i> Complete all questions on this form to be active on the current Marin Countywide Substitute Teacher List.  <i>Re-registrant:</i> Complete all questions on this form to be reactivated on the current Marin Countywide Substitute Teacher List.</p> <p style="text-align: center;"> <input type="checkbox"/> <b>New Registrant</b>                      <input type="checkbox"/> <b>Re-Registration</b> </p>	<p><b>OFFICE USE ONLY:</b>                  TB test date: _____  <input type="checkbox"/> MMR                      <input type="checkbox"/> C-19 Vac  <input type="checkbox"/> Mnd Rpt                      <input type="checkbox"/> Sxl Har  <input type="checkbox"/> CTC LS                      <input type="checkbox"/> MCOE LS  <input type="checkbox"/> QSS                      <input type="checkbox"/> Email</p>
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**(A) Personal Information** *(Please print or type)*

Social Security Number:	
Date of Birth:	
First and Last Name:	
Gender:	
Mailing Address:	
City, State, Zip:	
Preferred Telephone Number:	
Email address:	
Current Credential(s):	

**IN CASE OF AN EMERGENCY**

Doctor to notify:	
Hospital:	
Phone number:	
Person to notify:	
Relationship:	
Phone number:	

**(B) Professional Fitness Questions**

*For each question answered yes, include a statement with the registration packet.*

	Yes	No
1. Have you ever been convicted of any felony or misdemeanor, fined, or placed on probation? <i>(Exclude minor traffic violations except as required by law.) A conviction will not necessarily disqualify you from employment. (You can refer to page 2 of the CTC 41-4 form for additional information <a href="http://www.ctc.ca.gov/credentials/leaflets/414.pdf">http://www.ctc.ca.gov/credentials/leaflets/414.pdf</a>)</i>		
2. Are you currently using controlled substances without a prescription and/or are you an active alcoholic?		
3. Has your credential ever been suspended or revoked?		
4. Have you ever been dismissed or asked to resign from any teaching position?		
5. Do you have any relatives working for a district within Marin County?		
6. If you worked for a district under a different name, provide your former name.		

By signing this form, you consent to have your information appear on our secure, online substitute database for the districts to access.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## (C) Substituting Preferences

Select your grade preference(s):

Preschool	K-3	4-5
6-8	9-12	Special Education
Regional Occupational Program (ROP)	Adult Education	Home/Hospital Instruction (1-2 hours/day)

Select your district preference(s):

<b>A1.</b> MCOE Special Education <b>A2.</b> MCOE Alternative Education <b>A3.</b> MCOE Regional Occupational Program (Contact Mirna Long ( <a href="mailto:mlong@marinschools.org">mlong@marinschools.org</a> ) for more information.)							
<b>B1.</b> Mill Valley		<b>B2.</b> Reed (Tiburon-Belvedere)		<b>B3.</b> Sausalito Marin City			
<b>C1.</b> Miller Creek	<b>C2.</b> San Rafael	<b>C3.</b> Ross Valley	<b>C4.</b> Lagunitas	<b>C5.</b> Ross	<b>C6.</b> Kentfield	<b>C7.</b> Larkspur-Corte Madera	<b>C8.</b> Tamalpais H.S.
<b>D1.</b> Bolinas-Stinson		<b>D2.</b> Shoreline					
<b>E1.</b> Novato		<b>E2.</b> Laguna Joint		<b>E3.</b> Nicasio			

Select your subject preference(s):

01	Elem. School Subjects	22	Philosophy	43	Russian
02	Agricultural Science	23	Physical Education	44	Spanish
03	Anthropology	24	Physics	45	Computers
04	Art	25	Psychology	46	Bilingual/Cross Cultural (BCLAD)
05	Astronomy	26	General Science	47	Deaf & Hard of Hearing
06	Biological Science	27	Health Science	48	Visually Impaired
07	Business Education	28	Political Science	49	Orthopedically Impaired
08	Chemistry	29	Social Science	50	Speech Therapy
09	Drama	30	Sociology	51	Communicatively Impaired
10	Driver Ed. & Training*	31	Remedial Reading	52	Clinical/Rehabilitative
11	Economics	32	Library Science*	53	Traumatic Brain Injury
12	English	33	Vocational Education	54	Learning Impaired
13	Early Childhood Education	34	Drafting	55	Severely Impaired
14	Geography	35	Humanities	56	Physically Impaired
15	Geology	36	School Nurse*	57	Resource Specialist
16	History	37	Counselor*	58	ESL (English as a 2 <sup>nd</sup> Lang.)
17	Home Economics	38	French	59	Government
18	Industrial Arts	39	German	60	Ed Specialist: Mild/Moderate
19	Journalism	40	Greek	61	Ed Specialist: Moderate/Severe
20	Mathematics	41	Italian	62	Administrative (i.e.: Principal)*
21	Music	42	Latin		

*\*Requires a specific credential*



# MARIN COUNTY

## OFFICE OF EDUCATION

building the future... one student at a time

1111 Las Gallinas Avenue/P.O. Box 4925  
San Rafael, CA 94913-4925  
marincoe@marinschools.org

MARY JANE BURKE  
MARIN COUNTY  
SUPERINTENDENT OF SCHOOLS

(415) 472-4110  
FAX (415) 491-6625  
TDD (415) 491-6611

### TUBERCULOSIS TESTING INFORMATION

#### REQUIREMENT:

Education Code 49406 requires that public school employees be free of infectious tuberculosis (TB). There are two ways to meet this requirement:

1. TB Risk Assessment Questionnaire with resulting "Certificate of Completion", completed by a licensed health care provider.
2. TB examination via skin test, blood test, or chest x-ray. Results provided by a licensed health care provider.

#### All Substitutes

All countywide substitutes must provide the required documentation with their registration packet or upon expiration every four years. Freedom of infectious tuberculosis through a previous employing school district is acceptable. (Education Code § 49406 and Health and Safety Code § 121525)

#### Resources:

The Risk Assessment Questionnaire or TB examination can be completed by any licensed health care provider, including a personal doctor or County Health Clinic.

- If you have health insurance, contact your healthcare provider to complete the TB questionnaire, a TB skin test, or a chest x-ray (physicians recommend this in special cases). For new countywide substitutes, include your clearance in your substitute registration packet. For countywide substitutes submitting updated TB clearance, mail, fax, or personally deliver the results to the Credentials Analyst.
- If you do not have health insurance, you can visit the Immunization Clinic (information provided below). Please note: if you have health care coverage, you may be billed for an office visit.

Marin Community Clinic – San Rafael Campus  
Address: 3260 Kerner Blvd., San Rafael, CA 94901  
Hours: Tuesday & Friday 1:30p.m. – 4:30p.m.  
Phone: (415) 448-1500  
Website: [www.marinclinic.org](http://www.marinclinic.org)

TB skin testing is offered on a drop-in basis and requires two visits: Cost - \$30.00.

1. First visit for the TB skin test
2. Second visit for the results of the TB skin test (about 2-3 days after first visit)

If you have had a positive TB skin test reading in the past, you will not be given a TB skin test through the Immunization Clinic. You must visit the Clinic to obtain a chest x-ray referral during the designated drop-in times.

Chest X-Ray Referral: Cost - \$27.00 for uninsured; insured individuals will be processed by MCC, but must have their insurance for their chest x-ray.



# California School Employee Tuberculosis (TB) Risk Assessment Questionnaire



(for pre-K, K-12 schools and community college employees, volunteers and contractors)

- Use of this questionnaire is required by California Education Code sections 49406 and 87408.6, and Health and Safety Code sections 1597.055 and 121525-121555.^
- The purpose of this tool is to identify **adults** with infectious tuberculosis (TB) to prevent them from spreading disease.
- **Do not repeat testing** unless there are **new** risk factors since the last negative test.
- **Do not treat for latent TB infection (LTBI) until active TB disease has been excluded:**  
*For individuals with signs or symptoms of TB disease or abnormal chest x-ray consistent with TB disease, evaluate for active TB disease with a chest x-ray, symptom screen, and if indicated, sputum AFB smears, cultures and nucleic acid amplification testing. A negative tuberculin skin test (TST) or interferon gamma release assay (IGRA) does not rule out active TB disease.*

Name of Person Assessed for TB Risk Factors: \_\_\_\_\_

Assessment Date: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

## History of Tuberculosis Disease or Infection (Check appropriate box below)

Yes

- If there is a **documented** history of positive TB test or TB disease, then a symptom review and chest x-ray (if none performed in the previous 6 months) should be performed at initial hire by a physician, physician assistant, or nurse practitioner. If the x-ray does not have evidence of TB, the person is no longer required to submit to a TB risk assessment or repeat chest x-rays.

No (Assess for Risk Factors for Tuberculosis using box below)

## TB testing is recommended if any of the 3 boxes below are checked

One or more sign(s) or symptom(s) of TB disease

- TB symptoms include prolonged cough, coughing up blood, fever, night sweats, weight loss, or excessive fatigue.

Birth, travel, or residence in a country with an elevated TB rate for at least 1 month

- Includes countries **other than** the United States, Canada, Australia, New Zealand, or Western and North European countries.
- Interferon gamma release assay (IGRA) is preferred over tuberculin skin test (TST) for non-US-born persons.

Close contact to someone with infectious TB disease during lifetime

## Treat for LTBI if TB test result is positive and active TB disease is ruled out

^The law requires that a health care provider administer this questionnaire. A health care provider, as defined for this purpose, is any organization, facility, institution or person licensed, certified or otherwise authorized or permitted by state law to deliver or furnish health services. A Certificate of Completion should be completed after screening is completed (page 3).

## Certificate of Completion Tuberculosis Risk Assessment and/or Examination

To satisfy **job-related requirements** in the California Education Code, Sections 49406 and 87408.6 and the California Health and Safety Code, Sections 1597.055, 121525, 121545 and 121555.

**First and Last Name** of the person assessed and/or examined:

\_\_\_\_\_

**Date** of assessment and/or examination: \_\_\_\_\_ mo./\_\_\_\_\_ day/\_\_\_\_\_ yr.

**Date of Birth:** \_\_\_\_\_ mo./\_\_\_\_\_ day/\_\_\_\_\_ yr.

**The above named patient has submitted to a tuberculosis risk assessment. The patient does not have risk factors, or if tuberculosis risk factors were identified, the patient has been examined and determined to be free of infectious tuberculosis.**

X \_\_\_\_\_

Signature of Health Care Provider completing the risk assessment and/or examination

**Please print, place label or stamp with Health Care Provider Name and Address (include Number, Street, City, State, and Zip Code):**

# California School Employee Tuberculosis (TB) Risk Assessment User Guide

(for pre-K, K-12 schools and community college employees, volunteers and contractors)

## Background

California law requires that school staff working with children and community college students be free of infectious tuberculosis (TB). These updated laws reflect current federal Centers for Disease Control and Prevention (CDC) recommendations for targeted TB testing. Enacted laws, AB 1667, effective on January 1, 2015, SB 792 on September 1, 2016, and SB 1038 on January 1, 2017, require a TB risk assessment be administered and if risk factors are identified, a TB test and examination be performed by a health care provider to determine that the person is free of infectious tuberculosis. The use of the California School Employee TB Risk Assessment and the Certificate of Completion, developed by the California Department of Public Health (CDPH) and California TB Controllers Association (CTCA) are also required.

### AB 1667 impacted the following groups on 1/1/2015:

1. Persons employed by a K-12 school district, or employed under contract, in a certificated or classified position (California Education Code, Section 49406)
2. Persons employed, or employed under contract, by a private or parochial elementary or secondary school, or any nursery school (California Health and Safety Code, Sections 121525 and 121555).
3. Persons providing for the transportation of pupils under authorized contract in public, charter, private or parochial elementary or secondary schools (California Education Code, Section 49406 and California Health and Safety Code, Section 121525).
4. Persons volunteering with frequent or prolonged contact with pupils (California Education Code, Section 49406 and California Health and Safety Code, Section 121545).

### SB 792 impacted the following group on 9/1/2016:

Persons employed as a teacher in a child care center (California Health and Safety Code Section 1597.055).

### SB 1038 impacted the following group on 1/1/2017:

Persons employed by a community college district in an academic or classified position (California Education Code, Section 87408.6).

## Testing for latent TB infection (LTBI)

Because an interferon gamma release assay (IGRA) blood test has increased specificity for TB infection in persons vaccinated with BCG, IGRA is preferred over the tuberculin skin test (TST) in these persons. Most persons born outside the United States have been vaccinated with BCG.

## Previous or inactive tuberculosis

Persons with a previous chest radiograph showing findings consistent with previous or inactive TB should be tested for LTBI. In addition to LTBI testing, evaluate for active TB disease.

## Negative test for LTBI does not rule out TB disease

It is important to remember that a negative TST or IGRA result does not rule out active TB disease. In fact, a negative TST or IGRA in a person with active TB can be a sign of extensive disease and poor outcome.

## Symptoms of TB should trigger evaluation for active TB disease

Persons with any of the following symptoms that are otherwise unexplained should be medically evaluated: cough for more than 2-3 weeks, fevers, night sweats, weight loss, hemoptysis.

## Most patients with LTBI should be treated

Because testing of persons at low risk of LTBI should not be done, persons that test positive for LTBI should generally be treated once active TB disease has been ruled out. However, clinicians should not be compelled to treat low risk persons with a positive test for LTBI.

## Emphasis on short course for treatment of LTBI

Shorter regimens for treating LTBI have been shown to be more likely to be completed and the 3 month 12-dose regimen has been shown to be as effective as 9 months of isoniazid. Use of these shorter regimens is preferred in most patients. Drug-drug interactions and contact to drug resistant TB are typical reasons these regimens cannot be used.

## Repeat risk assessment and testing

If there is a documented history of positive TB test or TB disease, then a symptom review and chest x-ray should be performed at initial hire. Once a person has a documented positive test for TB infection that has been followed by a chest x-ray (CXR) that was determined to be free of infectious TB, the TB risk assessment (and repeat x-rays) is no longer required.

Repeat risk assessments should occur every four years (unless otherwise required) to identify any additional risk factors, and TB testing based on the results of the TB risk assessment. Re-testing should only be done in persons who previously tested negative, and have new risk factors since the last assessment.

*Please consult with your local public health department on any other recommendations and mandates that should also be considered.*



# California School Employee Tuberculosis Risk Assessment Frequently Asked Questions



California law requires that school staff working with children and community college students be free of infectious tuberculosis (TB). These updated laws reflect current recommendations for targeted TB testing from the federal Centers for Disease Control and Prevention (CDC), the California Department of Public Health (CDPH), the California Conference of Local Health Officers and the California Tuberculosis Controllers Association (CTCA).

## What specifically did [AB 1667](#) change on January 1, 2015?

1. Replaces the mandated TB examination on initial employment with a TB risk assessment, and TB testing based on the results of the TB risk assessment, for the following groups:
  - a. Persons initially employed by a school district, or employed under contract, in a certificated or classified position (California Education Code, Section 49406)
  - b. Persons initially employed, or employed under contract, by a private or parochial elementary or secondary school or any nursery school (California Health and Safety Code, Sections 121525 and 121555)
  - c. Persons providing for the transportation of pupils under authorized contract (California Health and Safety Code, Section 121525)
2. Replaces the mandated TB examination at least once each four years of school employees who have no identified TB risk factors or who test negative for TB infection with a TB risk assessment, and TB testing based on the TB risk assessment responses. (California Education Code, Section 49406 and California Health and Safety Code, Section 121525)
3. Replaces mandated TB examination (within the last four years) of volunteers with "frequent or prolonged contact with pupils" in private or parochial elementary or secondary schools, or nursery schools (California Health and Safety Code, Section 121545) with a TB risk assessment administered on initial volunteer assignment, and TB testing based on the results of the TB risk assessment.
4. For school district volunteers with "frequent or prolonged contact with pupils," mandates a TB risk assessment administered on initial volunteer assignment and TB testing based on the results of the TB risk assessment. (California Education Code, Section 49406)

## What specifically did [SB 792](#) change on September 1, 2016?

California Health and Safety Code, Section 1597.055 requires that persons hired as a teacher in a child care center must provide evidence of a current certificate that indicates freedom from infectious TB as set forth in California Health Safety Code, Section 121525.

## What specifically does [SB 1038](#) change on January 1, 2017?

California Education Code, Section 87408.6 requires persons employed by a community college in an academic or classified position to submit to a TB risk assessment developed by CDPH and CTCA and, if risk factors are present, an examination to determine that he or she is free of infectious TB; initially upon hire and every four years thereafter.





## California School Employee Tuberculosis Risk Assessment Frequently Asked Questions



### Who developed the school staff and volunteer TB risk assessment?

The California Department of Public Health (CDPH) and the California Tuberculosis Controllers Association (CTCA) jointly developed the TB risk assessment. The risk assessment was adapted from a form developed by Minnesota Department of Health TB Prevention and Control Program and the Centers for Disease Control and Prevention.

### Who may administer the TB risk assessment?

Per California Education and Health and Safety Codes, the TB risk assessment is to be administered by a health care provider. The risk assessment should be administered face-to-face. However, given the COVID-19 emergency response, the TB risk assessment may also be administered via telehealth. The practice of allowing employees or volunteers to self-assess is discouraged.

### What is a "health care provider"?

A "health care provider" means any organization, facility, institution or person licensed, certified or otherwise authorized or permitted by state law to deliver or furnish health services.

### If someone is a new employee and has a TB test that was negative, would he/she need to also complete a TB risk assessment?

Check with your employer about what is needed at the time of hire.

### If someone transfers from one K-12 school or school district to another school or school district, would he/she need to also complete a TB risk assessment?

Not if that person can produce a certificate that shows he or she was found to be free of infectious tuberculosis within 60 days of initial hire, or the school previously employing the person verifies that the person has a certificate on file showing that the person is free from infectious tuberculosis.

**If someone does not want to submit to a TB risk assessment, can he/she get a TB test instead?** Yes, a TB test, and an examination if necessary, may be completed instead of submitting to a TB risk assessment.

**If someone has a positive TB test, can he/she start working before the chest x-ray is completed?** No, the x-ray must be completed and the person determined to be free of infectious TB prior to starting work.

### If someone has a positive TB test, does he/she need to submit to a chest x-ray every four (4) years?

No, once a person has a documented positive TB test followed by an x-ray, repeat x-rays are no longer required every four years. If an employee or volunteer becomes symptomatic for TB, then he/she should promptly seek care from his/her health care provider.



## California School Employee Tuberculosis Risk Assessment Frequently Asked Questions



### What screening is required for someone who has a history of a positive TB test or TB disease at hire?

If there is a documented history of positive TB test or TB disease, then a symptom review and chest x-ray (if none performed in previous 6 months) should be performed at initial hire by a physician, physician assistant, or nurse practitioner. Once a person has a documented positive test for TB infection that has been followed by an x-ray that was determined to be free of infectious TB, the TB risk assessment (and repeat x-rays) is no longer required. If an employee or volunteer becomes symptomatic for TB, then he/she should seek care from his/her health care provider.

### For volunteers, what constitutes “frequent or prolonged contact with pupils”?

Examples of what may be considered “frequent or prolonged contact with pupils” include, but are not limited to, regularly-scheduled classroom volunteering and field trips where cumulative face-to-face time with students exceeds 8 hours.

### Who may sign the Certificate of Completion?

- If the patient has no TB risk factors then the health care provider completing the TB risk assessment may sign the Certificate of Completion.
- If a TB test is performed and the result is negative, then the licensed health care provider interpreting the TB test may sign the Certificate.
- If a TB test is positive and an examination is performed, only a physician, physician assistant, or nurse practitioner may sign the Certificate.

### What does “determined to be free of infectious tuberculosis” mean on the Certificate of Completion?

“Determined to be free of infectious TB” means that a physician, physician assistant, or nurse practitioner has completed the TB examination and provided any necessary treatment so that the person is not contagious and cannot pass the TB bacteria to others. The TB examination for active TB disease includes a chest x-ray, symptom assessment, and if indicated, sputum collection for acid-fast bacilli (AFB) smears cultures and nucleic acid amplification testing.

### What if I have TB screening or treatment questions?

Consult the federal Centers for Disease Control and Prevention’s *Latent Tuberculosis Infection: A Guide for Primary Health Care Providers* (2013) (<http://www.cdc.gov/tb/publications/LTBI/default.htm>). If you have specific TB screening or treatment questions, please contact your local TB control program (<http://www.ctca.org/locations.html>).

### Who may I contact to get further information or to download the TB risk assessment?

- California Tuberculosis Controllers’ Association  
<https://www.ctca.org/providers/>
- California Department of Public Health, Tuberculosis Control Branch: (510) 620-3000  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/TBCB.aspx>
- California School Nurses Organization: (916) 448-5752 or email [csno@csno.org](mailto:csno@csno.org)  
<http://www.csno.org/>



## **MEASLES (RUBEOLA) TESTING INFORMATION**

Measles is a very contagious airborne illness and is highly preventable through vaccination. The virus is spread by sharing the same area with an infected person, especially if that person coughs or sneezes. Individuals are usually contagious four (4) days before they develop symptoms, and may unknowingly make others ill.

In 2015, California and Marin County have experienced a recent measles outbreak. This situation has prompted all schools in Marin County to take extra precautions in an effort to protect our students and staff from the spread of the disease. As a result, measles immunity information is required for all new employees. Providing documentation of immunity/immunization will ensure that you can continue to work in the event of an outbreak.

All new countywide substitutes must provide "Proof of Measles Immunization" by submitting one of the following documentation:

- A copy of government issued documentation (e.g., birth certificate, passport, driver's license) affirming date of birth prior to 1957; or
- Documented laboratory confirmation of immunity to Measles-Rubeola by attaching titer test laboratory results from a licensed health care provider; or
- Documented proof (official immunization record) of having at least one (1) dose of the MMR vaccine.
  - You may have the MMR Vaccine administered at the Walgreens Pharmacy or through a licensed health care provider.

### **Walgreens Pharmacy - San Rafael**

Location: 155 Northgate One, San Rafael, CA 94903

Phone: (415) 479-2260

Hours of Operation:

- M-F 8:00a.m. - 9:00p.m.
- Sat 9:00a.m. - 6:00p.m.
- Sun 10:00a.m. - 6:00p.m.

Vaccines are available by appointment or walk-in. Please call the pharmacy number to schedule an appointment.

MMR Vaccination Cost: \$100.00 (please contact for accepted insurance inquiries or pay out of pocket).



# MARIN COUNTY

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## OFFICE OF EDUCATION

building the future... one student at a time

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San Rafael, CA 94913-4925  
marincoe@marinschools.org

MARY JANE BURKE  
MARIN COUNTY  
SUPERINTENDENT OF SCHOOLS

(415) 472-4110  
FAX (415) 491-6625  
TDD (415) 491-6611

### COVID-19 VACCINE

COVID-19 is a disease caused by a virus called SARS-CoV-2.

The School Site-Specific Protection Plan (SSSPP) Guidance documents (<https://docs.google.com/document/d/1k25yhK5pDrmXof7roOCf-YPuPg48xZKOD-wLQs8GjMU/edit>) state: “essential workers will be required to adhere to all health and safety guidelines. Any substitutes, contractors, visitors or volunteers working directly with students should be fully vaccinated.”

We are asking all countywide substitute teachers to provide proof of receiving the COVID-19 Immunization by submitting a copy of the vaccine card, or immunization record, showing either:

- One (1) dose of the Johnson and Johnson vaccine
- Two (2) doses of the Pfizer vaccine
- Two (2) doses of the Moderna vaccine

If you have not received the vaccine and are interested in receiving the vaccine, information about the vaccine is available at the following links:

- <http://getvaccinatedmarin.org/>
- <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/your-vaccination.html>
- <https://myturn.ca.gov/>



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### CHILD AND DEPENDENT ADULT ABUSE OR NEGLECT REPORTING REQUIREMENTS

California law requires that school employees who fall within certain statutorily defined categories be familiar with the laws relating to abuse or neglect of children and dependent adult reporting requirements. As a condition of employment you must sign a statement signifying that you have knowledge of the reporting requirements and will comply with them (Penal Code, Section 11166 and Welfare and Institution Code, Section 15630).

The Child Abuse and Neglect Reporting Act also specifies that employers provide their employees who are mandated reporters with training in the duties imposed, including training in child and dependent adult abuse and neglect identification and training in child and dependent adult abuse and neglect reporting within the first six weeks of each school year or within the first six weeks of the person’s employment. (Education Code, Section 44691)

#### Receipt and Acknowledgement of Child and Dependent Adult Abuse or Neglect Reporting Requirements

Section 11166 of the Penal Code and Section 15630 of the Welfare and Institution Code require any child and dependent adult care custodian, medical practitioner, nonmedical practitioner, employee of a child protective agency, child visitation monitor, firefighter, animal control officer, Humane Society officer, commercial film and photographic print processor, or clergy who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment whom he or she knows or reasonably suspects has been the victim of abuse to report such known or suspected instance to a child protective agency or adult protective agency respectively immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident. For purposes of the reporting law, educators and other school employees fall into the categories of childcare custodian and health care practitioners.

On the attached page is a copy of Penal Code Section 11166 and Welfare and Institution Code, Section 15630, which explain the procedures for reporting.

\*\*\*\*\*

I have read the attached “Mandatory Reporting: 10 Things You Need to Know,” Penal Code Section 11166 and Welfare and Institution Code Section 15630, and I agree to comply therewith. By signing below, I certify that I fully reviewed the content of the entire online training and materials approved by the Marin County Office of Education.

\_\_\_\_\_  
(Employee’s Name – Please Print)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Employee’s Signature)



## REQUIRED TRAININGS

### Mandated Reporter Training

California school districts are required to **annually** (July 1<sup>st</sup> – June 30<sup>th</sup>) train school employees, including substitutes, on their child abuse reporting obligations as mandated reporters under the law.

#### WHAT DOES THIS LAW MEAN FOR YOU AS A MARIN COUNTYWIDE SUBSTITUTE TEACHER?

- As a registered Marin County Substitute Teacher, you are a mandated reporter.
- Therefore, as a mandated reporter, *you are required to complete an approved online or in person training session **ANNUALLY**.*
- The good news is you are required to watch this video only one time each year as part of your substitute registration through the Marin County Office of Education Substitute Consortium, as opposed to completing this training for each district.

### Sexual Harrassment Prevention Training

California school districts are required to train school employees, including substitutes, in sexual harassment prevention training. For more information, please review Senate Bill 1343.

#### WHAT DOES THIS LAW MEAN FOR YOU AS A MARIN COUNTYWIDE SUBSTITUTE TEACHER?

- To register as a substitute, you are required to complete an approved online or in-person training session.
- By law, this video is required to be completed once every two years as part of your substitute registration through the Marin County Office of Education Substitute Consortium.

### To complete the trainings:

1. Visit <https://mcoesubstitutes-keenan.safeschools.com/login>
2. Click on the 'Register' Icon. It is located below the blue 'Log In' button.
  - a. **Note:** If you were previously registered on the countywide substitute list, contact the Credentials Analyst to reactivate your Keenan account. **DO NOT** create a second account.
3. Enter the registration key number: **3c5beb7f**
4. Enter your profile information. Complete the three fields.
  - a. **Enter your entire email address as your Username.**

If there are any questions, please contact the Credentials office at (415) 499-5863 or [sub@marinschools.org](mailto:sub@marinschools.org).

# Substitute Registration Packet Checklist

A completed packet includes the following:

- Credential/Permit (Pages 2-6):
  - If you hold a valid California credential or permit, you can check this off the list. I will pull your credential/permit information from the Commission on Teacher Credentialing's (CTC) website.
  - If applying for a substitute permit, there are two types:
    - Emergency 30 Day Permit (Page 2)
    - Prospective Teachers Emergency Substitute Permit (Page 2)
- Fingerprinting/live scan(s) (Pages 7-9):
  - There are two live scans in the registration packet:
    - The Commission on Teacher Credentialing live scan (form A0281) (Page 7).
      - If you hold a valid document (i.e.: Certificate of Clearance, teaching credential, etc.) with the CTC, you have met this requirement.
    - The Marin County Office of Education (MCOE) live scan (form A0572) (Page 8).
      - If you have worked directly for MCOE, not including a district within Marin County, you have met this requirement.
  - *Note:* If this is your first application with the CTC and you have not worked for MCOE, both live scan forms must be completed.
- Immunizations (Pages 12-20):
  - TB Clearance (within the last 60 days) (Pages 12-18)
  - MMR (Page 19)
  - COVID-19 (Page 20)
- Online Trainings (Page 22):
  - Print** both completion certificates:
    - Mandated Reporter Training
    - Sexual Harassment Prevention Training
- Forms (Pages 10, 11, 21):
  - Registration form (Pages 10-11)
  - Abuse or Neglect Reporting Requirements form (Page 21)

**PENAL CODE - PEN**

**PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006 - 14315]**

*( Part 4 added by Stats. 1953, Ch. 1385. )*

**TITLE 1. INVESTIGATION AND CONTROL OF CRIMES AND CRIMINALS [11006 - 11460]**

*( Title 1 added by Stats. 1953, Ch. 1385. )*

**CHAPTER 2. Control of Crimes and Criminals [11150 - 11199.5]**

*( Chapter 2 added by Stats. 1953, Ch. 70. )*

**ARTICLE 2.5. Child Abuse and Neglect Reporting Act [11164 - 11174.3]**

*( Heading of Article 2.5 amended by Stats. 1987, Ch. 1444, Sec. 1. )*

**11166.**

(a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written followup report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. "Reasonable suspicion" does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect; any "reasonable suspicion" is sufficient. For purposes of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified and a report shall be prepared and sent, faxed, or electronically transmitted even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) A report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If, after reasonable efforts, a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written



report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone followup call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written followup report.

(1) The one-time automated written report form prescribed by the Department of Justice shall be clearly identifiable so that it is not mistaken for a standard written followup report. In addition, the automated one-time report shall contain a section that allows the mandated reporter to state the reason the initial telephone call was not able to be completed. The reason for the submission of the one-time automated written report in lieu of the procedure prescribed in subdivision (a) shall be captured in the Child Welfare Services/Case Management System (CWS/CMS). The department shall work with stakeholders to modify reporting forms and the CWS/CMS as is necessary to accommodate the changes enacted by these provisions.

(2) This subdivision shall not become operative until the CWS/CMS is updated to capture the information prescribed in this subdivision.

(3) This subdivision shall become inoperative three years after this subdivision becomes operative or on January 1, 2009, whichever occurs first.

(4) On the inoperative date of these provisions, a report shall be submitted to the counties and the Legislature by the State Department of Social Services that reflects the data collected from automated one-time reports indicating the reasons stated as to why the automated one-time report was filed in lieu of the initial telephone report.

(5) Nothing in this section shall supersede the requirement that a mandated reporter first attempt to make a report via telephone, or that agencies specified in Section 11165.9 accept reports from mandated reporters and other persons as required.

(c) A mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect as required by this section is guilty of 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. If a mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until an agency specified in Section 11165.9 discovers the offense.

(d) (1) A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to subdivision (a). For the purposes of this subdivision, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

(2) Nothing in this subdivision shall be construed to modify or limit a clergy member's duty to report known or suspected child abuse or neglect when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

(3) (A) On or before January 1, 2004, a clergy member or any custodian of records for the clergy member may report to an agency specified in Section 11165.9 that the clergy member or any custodian of records for the clergy member, prior to January 1, 1997, in his or her professional capacity or within the scope of his or her employment, other than during a penitential communication, acquired knowledge or had a reasonable suspicion that a child had been the victim of sexual abuse and that the clergy member or any custodian of records for the clergy member did not previously report the abuse to an agency specified in Section 11165.9. The provisions of Section 11172 shall apply to all reports made pursuant to this paragraph.

(B) This paragraph shall apply even if the victim of the known or suspected abuse has reached the age of majority by the time the required report is made.

(C) The local law enforcement agency shall have jurisdiction to investigate any report of child abuse made pursuant to this paragraph even if the report is made after the victim has reached the age of majority.

(e) (1) A commercial film, photographic print, or image processor who has knowledge of or observes, within the scope of his or her professional capacity or employment, any film, photograph, videotape, negative, slide, or any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image depicting a child under 16 years of age engaged in an act of sexual conduct, shall, immediately or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images are seen. Within 36 hours of receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a written followup report of the incident with a copy of the image or material attached.

(2) A commercial computer technician who has knowledge of or observes, within the scope of his or her professional capacity or employment, any representation of information, data, or an image, including, but not limited to, any computer hardware, computer software, computer file, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image that is retrievable in perceivable form and that is intentionally saved, transmitted, or organized on an electronic medium, depicting a child under 16 years of age engaged in an act of sexual conduct, shall immediately, or as soon as practicably possible, telephonically report the instance of suspected abuse to the law enforcement agency located in the county in which the images or material are seen. As soon as practicably possible after receiving the information concerning the incident, the reporter shall prepare and send, fax, or electronically transmit a

written followup report of the incident with a brief description of the images or materials.

(3) For purposes of this article, "commercial computer technician" includes an employee designated by an employer to receive reports pursuant to an established reporting process authorized by subparagraph (B) of paragraph (43) of subdivision (a) of Section 11165.7.

(4) As used in this subdivision, "electronic medium" includes, but is not limited to, a recording, CD-ROM, magnetic disk memory, magnetic tape memory, CD, DVD, thumbdrive, or any other computer hardware or media.

(5) As used in this subdivision, "sexual conduct" means any of the following:

(A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex or between humans and animals.

(B) Penetration of the vagina or rectum by any object.

(C) Masturbation for the purpose of sexual stimulation of the viewer.

(D) Sadoomasochistic abuse for the purpose of sexual stimulation of the viewer.

(E) Exhibition of the genitals, pubic, or rectal areas of a person for the purpose of sexual stimulation of the viewer.

(f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, he or she makes a report of the abuse or neglect pursuant to subdivision (a).

(g) Any other person who has knowledge of or observes a child whom he or she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9. For purposes of this section, "any other person" includes a mandated reporter who acts in his or her private capacity and not in his or her professional capacity or within the scope of his or her employment.

(h) When two or more persons, who are required to report, jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the telephone report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(i) (1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article.

(2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose his or her identity to the employer.

(3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.

(j) A county probation or welfare department shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the law enforcement agency having jurisdiction over the case, to the agency given the responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code, and to the district attorney's office every known or suspected instance of child abuse or neglect, as defined in Section 11165.6, except acts or omissions coming within subdivision (b) of Section 11165.2, or reports made pursuant to Section 11165.13 based on risk to a child which relates solely to the inability of the parent to provide the child with regular care due to the parent's substance abuse, which shall be reported only to the county welfare or probation department. A county probation or welfare department also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

(k) A law enforcement agency shall immediately, or as soon as practicably possible, report by telephone, fax, or electronic transmission to the agency given responsibility for investigation of cases under Section 300 of the Welfare and Institutions Code and to the district attorney's office every known or suspected instance of child abuse or neglect reported to it, except acts or omissions coming within subdivision (b) of Section 11165.2, which shall be reported only to the county welfare or probation department. A law enforcement agency shall report to the county welfare or probation department every known or suspected instance of child abuse or neglect reported to it which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or as the result of the failure of a person responsible for the child's welfare to adequately protect the minor from abuse when the person responsible for the child's welfare knew or reasonably should have known that the minor was in danger of abuse. A law enforcement agency also shall send, fax, or electronically transmit a written report thereof within 36 hours of receiving the information concerning the incident to any agency to which it makes a telephone report under this subdivision.

*(Amended by Stats. 2013, Ch. 76, Sec. 165. Effective January 1, 2014.)*

**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18996]**

*( Division 9 added by Stats. 1965, Ch. 1784. )*

**PART 3. AID AND MEDICAL ASSISTANCE [11000 - 15766]**

*( Part 3 added by Stats. 1965, Ch. 1784. )*

**CHAPTER 11. Elder Abuse and Dependent Adult Civil Protection Act [15600 - 15675]**

*( Heading of Chapter 11 amended by Stats. 1991, Ch. 774, Sec. 1. )*

**ARTICLE 3. Mandatory and Nonmandatory Reports of Abuse [15630 - 15632]**

*( Heading of Article 3 renumbered from Article 4 by Stats. 1994, Ch. 594, Sec. 5. )*

**15630.**

(a) Any person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, whether or not he or she receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian, health practitioner, clergy member, or employee of a county adult protective services agency or a local law enforcement agency, is a mandated reporter.

(b) (1) Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, as defined in Section 15610.63, abandonment, abduction, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, as defined in Section 15610.63, abandonment, abduction, isolation, financial abuse, or neglect, or reasonably suspects that abuse, shall report the known or suspected instance of abuse by telephone or through a confidential Internet reporting tool, as authorized by Section 15658, immediately or as soon as practicably possible. If reported by telephone, a written report shall be sent, or an Internet report shall be made through the confidential Internet reporting tool established in Section 15658, within two working days.

(A) If the suspected or alleged abuse is physical abuse, as defined in Section 15610.63, and the abuse occurred in a long-term care facility, except a state mental health hospital or a state developmental center, the following shall occur:

(i) If the suspected abuse results in serious bodily injury, a telephone report shall be made to the local law enforcement agency immediately, but also no later than within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement agency within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.

(ii) If the suspected abuse does not result in serious bodily injury, a telephone report shall be made to the local law enforcement agency within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse, and a written report shall be made to the local ombudsman, the corresponding licensing agency, and the local law enforcement agency within 24 hours of the mandated reporter observing, obtaining knowledge of, or suspecting the physical abuse.

(iii) When the suspected abuse is allegedly caused by a resident with a physician's diagnosis of dementia, and there is no serious bodily injury, as reasonably determined by the mandated reporter, drawing upon his or her training or experience, the reporter shall report to the local ombudsman or law enforcement agency by telephone, immediately or as soon as practicably possible, and by written report, within 24 hours.

(iv) When applicable, reports made pursuant to clauses (i) and (ii) shall be deemed to satisfy the reporting requirements of the federal Elder Justice Act of 2009, as set out in Subtitle H of the federal Patient Protection and Affordable Care Act (Public Law 111-148), Section 1418.91 of the Health and Safety Code, and Section 72541 of Title 22 of California Code of Regulations. When a local law enforcement agency receives an initial report of suspected abuse in a long-term care facility pursuant to this subparagraph, the local law enforcement agency may coordinate efforts with the local ombudsman to provide the most immediate and appropriate response warranted to investigate the mandated report. The local ombudsman and local law enforcement agencies may collaborate to develop protocols to implement this subparagraph.

(B) Notwithstanding the rulemaking provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, or any other law, the department may implement subparagraph (A), in whole or in part, by means of all-county letters, provider bulletins, or other similar instructions without taking regulatory action.

(C) If the suspected or alleged abuse is abuse other than physical abuse, and the abuse occurred in a long-term care facility, except a state mental health hospital or a state developmental center, a telephone report and a written report shall be made to the local ombudsman or the local law enforcement agency.

(D) With regard to abuse reported pursuant to subparagraph (C), the local ombudsman and the local law enforcement agency shall, as soon as practicable, except in the case of an emergency or pursuant to a report required to be made pursuant to clause (v), in which case these actions shall be taken immediately, do all of the following:

(i) Report to the State Department of Public Health any case of known or suspected abuse occurring in a long-term health care facility, as defined in subdivision (a) of Section 1418 of the Health and Safety Code.

(ii) Report to the State Department of Social Services any case of known or suspected abuse occurring in a residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code, or in an adult day program, as

defined in paragraph (2) of subdivision (a) of Section 1502 of the Health and Safety Code.

(iii) Report to the State Department of Public Health and the California Department of Aging any case of known or suspected abuse occurring in an adult day health care center, as defined in subdivision (b) of Section 1570.7 of the Health and Safety Code.

(iv) Report to the Bureau of Medi-Cal Fraud and Elder Abuse any case of known or suspected criminal activity.

(v) Report all cases of known or suspected physical abuse and financial abuse to the local district attorney's office in the county where the abuse occurred.

(E) (i) If the suspected or alleged abuse or neglect occurred in a state mental hospital or a state developmental center, and the suspected or alleged abuse or neglect resulted in any of the following incidents, a report shall be made immediately, but no later than within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting abuse, to designated investigators of the State Department of State Hospitals or the State Department of Developmental Services, and also to the local law enforcement agency:

(I) A death.

(II) A sexual assault, as defined in Section 15610.63.

(III) An assault with a deadly weapon, as described in Section 245 of the Penal Code, by a nonresident of the state mental hospital or state developmental center.

(IV) An assault with force likely to produce great bodily injury, as described in Section 245 of the Penal Code.

(V) An injury to the genitals when the cause of the injury is undetermined.

(VI) A broken bone when the cause of the break is undetermined.

(ii) All other reports of suspected or alleged abuse or neglect that occurred in a state mental hospital or a state developmental center shall be made immediately, but no later than within two hours of the mandated reporter observing, obtaining knowledge of, or suspecting abuse, to designated investigators of the State Department of State Hospitals or the State Department of Developmental Services, or to the local law enforcement agency.

(iii) When a local law enforcement agency receives an initial report of suspected or alleged abuse or neglect in a state mental hospital or a state developmental center pursuant to clause (i), the local law enforcement agency shall coordinate efforts with the designated investigators of the State Department of State Hospitals or the State Department of Developmental Services to provide the most immediate and appropriate response warranted to investigate the mandated report. The designated investigators of the State Department of State Hospitals or the State Department of Developmental Services and local law enforcement agencies may collaborate to develop protocols to implement this clause.

(iv) Except in an emergency, the local law enforcement agency shall, as soon as practicable, report any case of known or suspected criminal activity to the Bureau of Medi-Cal Fraud and Elder Abuse.

(v) Notwithstanding any other law, a mandated reporter who is required to report pursuant to Section 4427.5 shall not be required to report under clause (i).

(F) If the abuse has occurred in any place other than a long-term care facility, a state mental hospital, or a state developmental center, the report shall be made to the adult protective services agency or the local law enforcement agency.

(2) (A) A mandated reporter who is a clergy member who acquires knowledge or reasonable suspicion of elder or dependent adult abuse during a penitential communication is not subject to paragraph (1). For purposes of this subdivision, "penitential communication" means a communication that is intended to be in confidence, including, but not limited to, a sacramental confession made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization is authorized or accustomed to hear those communications and under the discipline tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

(B) This subdivision shall not be construed to modify or limit a clergy member's duty to report known or suspected elder and dependent adult abuse if he or she is acting in the capacity of a care custodian, health practitioner, or employee of an adult protective services agency.

(C) Notwithstanding any other provision in this section, a clergy member who is not regularly employed on either a full-time or part-time basis in a long-term care facility or does not have care or custody of an elder or dependent adult shall not be responsible for reporting abuse or neglect that is not reasonably observable or discernible to a reasonably prudent person having no specialized training or experience in elder or dependent care.

(3) (A) A mandated reporter who is a physician and surgeon, a registered nurse, or a psychotherapist, as defined in Section 1010 of the Evidence Code, shall not be required to report, pursuant to paragraph (1), an incident if all of the following conditions exist:

(i) The mandated reporter has been told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, as defined in Section 15610.63, abandonment, abduction, isolation, financial abuse, or neglect.

(ii) The mandated reporter is not aware of any independent evidence that corroborates the statement that the abuse has occurred.

(iii) The elder or dependent adult has been diagnosed with a mental illness or dementia, or is the subject of a court-ordered conservatorship because of a mental illness or dementia.

(iv) In the exercise of clinical judgment, the physician and surgeon, the registered nurse, or the psychotherapist, as defined in Section 1010 of the Evidence Code, reasonably believes that the abuse did not occur.



(B) This paragraph shall not be construed to impose upon mandated reporters a duty to investigate a known or suspected incident of abuse and shall not be construed to lessen or restrict any existing duty of mandated reporters.

(4) (A) In a long-term care facility, a mandated reporter shall not be required to report as a suspected incident of abuse, as defined in Section 15610.07, an incident if all of the following conditions exist:

(i) The mandated reporter is aware that there is a proper plan of care.

(ii) The mandated reporter is aware that the plan of care was properly provided or executed.

(iii) A physical, mental, or medical injury occurred as a result of care provided pursuant to clause (i) or (ii).

(iv) The mandated reporter reasonably believes that the injury was not the result of abuse.

(B) This paragraph shall not be construed to require a mandated reporter to seek, nor to preclude a mandated reporter from seeking, information regarding a known or suspected incident of abuse prior to reporting. This paragraph shall apply only to those categories of mandated reporters that the State Department of Public Health determines, upon approval by the Bureau of Medi-Cal Fraud and Elder Abuse and the state long-term care ombudsman, have access to plans of care and have the training and experience necessary to determine whether the conditions specified in this section have been met.

(c) (1) Any mandated reporter who has knowledge, or reasonably suspects, that types of elder or dependent adult abuse for which reports are not mandated have been inflicted upon an elder or dependent adult, or that his or her emotional well-being is endangered in any other way, may report the known or suspected instance of abuse.

(2) If the suspected or alleged abuse occurred in a long-term care facility other than a state mental health hospital or a state developmental center, the report may be made to the long-term care ombudsman program. Except in an emergency, the local ombudsman shall report any case of known or suspected abuse to the State Department of Public Health and any case of known or suspected criminal activity to the Bureau of Medi-Cal Fraud and Elder Abuse, as soon as is practicable.

(3) If the suspected or alleged abuse occurred in a state mental health hospital or a state developmental center, the report may be made to the designated investigator of the State Department of State Hospitals or the State Department of Developmental Services or to a local law enforcement agency. Except in an emergency, the local law enforcement agency shall report any case of known or suspected criminal activity to the Bureau of Medi-Cal Fraud and Elder Abuse, as soon as is practicable.

(4) If the suspected or alleged abuse occurred in a place other than a place described in paragraph (2) or (3), the report may be made to the county adult protective services agency.

(5) If the conduct involves criminal activity not covered in subdivision (b), it may be immediately reported to the appropriate law enforcement agency.

(d) If two or more mandated reporters are present and jointly have knowledge or reasonably suspect that types of abuse of an elder or a dependent adult for which a report is or is not mandated have occurred, and there is agreement among them, the telephone report or Internet report, as authorized by Section 15658, may be made by a member of the team selected by mutual agreement, and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report.

(e) A telephone report or Internet report, as authorized by Section 15658, of a known or suspected instance of elder or dependent adult abuse shall include, if known, the name of the person making the report, the name and age of the elder or dependent adult, the present location of the elder or dependent adult, the names and addresses of family members or any other adult responsible for the elder's or dependent adult's care, the nature and extent of the elder's or dependent adult's condition, the date of the incident, and any other information, including information that led that person to suspect elder or dependent adult abuse, as requested by the agency receiving the report.

(f) The reporting duties under this section are individual, and no supervisor or administrator shall impede or inhibit the reporting duties, and no person making the report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting, ensure confidentiality, and apprise supervisors and administrators of reports may be established, provided they are not inconsistent with this chapter.

(g) (1) Whenever this section requires a county adult protective services agency to report to a law enforcement agency, the law enforcement agency shall, immediately upon request, provide a copy of its investigative report concerning the reported matter to that county adult protective services agency.

(2) Whenever this section requires a law enforcement agency to report to a county adult protective services agency, the county adult protective services agency shall, immediately upon request, provide to that law enforcement agency a copy of its investigative report concerning the reported matter.

(3) The requirement to disclose investigative reports pursuant to this subdivision shall not include the disclosure of social services records or case files that are confidential, nor shall this subdivision be construed to allow disclosure of any reports or records if the disclosure would be prohibited by any other provision of state or federal law.

(h) Failure to report, or impeding or inhibiting a report of, physical abuse, as defined in Section 15610.63, abandonment, abduction, isolation, financial abuse, or neglect of an elder or dependent adult, in violation of this section, is a misdemeanor, punishable by not more than six months in the county jail, by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment. Any mandated reporter who willfully fails to report, or impedes or inhibits a report of, physical abuse, as defined in Section 15610.63, abandonment,

abduction, isolation, financial abuse, or neglect of an elder or dependent adult, in violation of this section, if that abuse results in death or great bodily injury, shall be punished by not more than one year in a county jail, by a fine of not more than five thousand dollars (\$5,000), or by both that fine and imprisonment. If a mandated reporter intentionally conceals his or her failure to report an incident known by the mandated reporter to be abuse or severe neglect under this section, the failure to report is a continuing offense until a law enforcement agency specified in paragraph (1) of subdivision (b) of Section 15630 discovers the offense.

(i) For purposes of this section, "dependent adult" shall have the same meaning as in Section 15610.23.

*(Amended by Stats. 2013, Ch. 673, Sec. 3. Effective January 1, 2014.)*