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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98] (Division 9 added by Stats. 1965, Ch. 1784.)

PART 6. MISCELLANEOUS PROVISIONS [18000 - 18999.98] (Part 6 added by Stats. 1965, Ch. 1784.)

CHAPTER 11. The Office of Child Abuse Prevention [18950 - 18973] (Chapter 11 added by Stats. 1978, Ch. 1334.)

ARTICLE 1. General [18950 - 18950.5] (Article 1 added by Stats. 1978, Ch. 1334.)

18950. The Legislature finds and declares that child abuse is a growing concern in this state, and that current methods of coping with child abuse problems are resulting in family breakups that are both expensive and nonproductive to the state. It is the intent of the Legislature to provide for the establishment of a State Office of Child Abuse Prevention to plan, improve, develop, and carry out programs and activities relating to the prevention, identification and treatment of child abuse and neglect.

(Amended by Stats. 1990, Ch. 756, Sec. 1.)

18950.1. (a) The Legislature finds and declares all of the following:

(1) Current mandatory reporting laws have resulted in a significant increase in the number of reports made with no corresponding evidence that children are safer.

(2) The harm and trauma of unnecessary reporting falls disproportionately on Black/African American and Native American/Indigenous children and families.

(3) Therefore, to eliminate the disproportionate surveillance and reporting of Black/African American, Native American/Indigenous, and Latino families and communities, thereby leading to an environment of antiracism in support of all children and families, it is the intent of the Legislature that training be fully implemented regarding the definition of general neglect, as defined in Section 11165.2 of the Penal Code, and that investigations of general neglect by child welfare agencies as referred by mandated reporters emphasize community-based supports and family preservation services to reduce disparities and disproportionality in the child welfare system.

(4) It is the intent of the Legislature to enact legislation to clarify statutes to allow for the sharing of information across agencies through a multidisciplinary team approach to serve children and families to prevent foster care entry.

(b) The department, through the State Office of Child Abuse Prevention, with participation of individuals with lived expertise, county child welfare agencies, and other stakeholders, shall, by no later than July 1, 2027, develop a standardized curriculum for mandated reporters. The curriculum shall reflect the intent of the Legislature in subdivision (a) and shall include, but not be limited to, all of the following:

(1) History of mandated reporting laws, including the impact of structural racism resulting in a disproportionate number of Black and Indigenous families involved in the child welfare services system.

(2) The Federal Child Abuse Prevention and Treatment Act.

(3) California's Child Abuse and Neglect Reporting Act in Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code.

(4) The federal Indian Child Welfare Act of 1978 (25 U.S.C. Sec. 1901 et seq.).

(5) Best practice for defining "reasonable suspicion" and "substantial risk."

(6) Differences between "severe neglect" and "general neglect" as defined in Section 11165.2 of the Penal Code.

(7) California child abuse, neglect, and disproportionality data.

(8) Definitions of “bias,” including “implicit,” and “explicit,” bias, and “trauma,” the impact of bias and trauma on families and children, and strategies for recognizing and mitigating their impact.

(9) The impact on families of making a child abuse or neglect report to child protective services.

(10) Considerations for special populations, including individuals with disabilities, behavioral health, domestic violence, and substance use concerns, as well as the unique factors involved in supporting children 0 to 5 years of age.

(11) Decisionmaking processes and tools for mandated reporters, including case examples of general neglect and severe neglect as those terms are defined in Section 11165.2 of the Penal Code.

(12) Education and information on community resources, community-based organizations, and other government agencies that can provide support to families in need, including information about basic aid programs like the CalWORKs, Medi-Cal and CalFresh programs.

(c) (1) The department shall make the training described in this section available on an internet website.

(2) The department may contract for the development, maintenance, and online hosting of the training described in this section.

(3) The department may charge an appropriate fee to offset the cost of generating individual completion certificates for the training described in this section and maintaining a verification system for such certificates. This paragraph shall not apply to any other child abuse mandated reporter training the department is otherwise required by law to provide free of cost, including the child abuse mandated reporter training described in Section 1596.8662 of the Health and Safety Code.

(4) Notwithstanding any other law, contracts entered into or amended by the department for purposes of this section, including, but not limited to, developing and providing mandated reporter training and education, improving mandated reporter policies, practices, and public awareness, and strengthening pathways to community supports, shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, the Public Contract Code, and the State Contracting Manual, and shall not be subject to the review or approval of any division of the Department of General Services.

(d) (1) Except as provided in paragraph (2), an employer having one or more mandated reporters, as described in subdivision (a) of Section 11165.7 of the Penal Code, shall strongly encourage completion of training by their mandated reporters using the curriculum set forth in subdivision (b) within the first three months of their employment, or on or before March 1, 2030, whichever is later.

(2) The training under this subdivision shall not apply to either of the following:

(A) A volunteer whose duties require direct contact with and supervision of children, as described in subdivision (g) of Section 11165.7 of the Penal Code.

(B) A mandated reporter listed in Section 11165.7 of the Penal Code who is otherwise required by law to receive training in child abuse and neglect identification and reporting.

(e) For the purposes of this chapter, “California child abuse, neglect, and disproportionality data” means data documented by the California Child Welfare Indicators Project.

(Added by Stats. 2025, Ch. 79, Sec. 34. (SB 119) Effective July 29, 2025.)

18950.5. For the purposes of this chapter, a child receiving treatment by spiritual means as provided in Section 16508 of the Welfare and Institutions Code shall not for that reason alone be considered an abused or neglected child.

(Added by Stats. 1978, Ch. 1334.)