



**DEBRA BOWEN | SECRETARY OF STATE**  
**STATE OF CALIFORNIA | ELECTIONS**

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May 31, 2007

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS/PROPONENT  
(07073)

FROM:

  
KATHERINE MONTGOMERY  
Elections Analyst

SUBJECT: INITIATIVE #1246

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**TRAINING FOR MANDATED REPORTERS  
OF CHILD ABUSE AND NEGLECT.  
STATUTORY AMENDMENT.**

The proponent of the above-named measure is:

Diana Evans

(707) 643-3154

TRAINING FOR MANDATED REPORTERS  
OF CHILD ABUSE AND NEGLECT.  
STATUTORY AMENDMENT.

CIRCULATING AND FILING SCHEDULE

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1. Minimum number of signatures required: ..... 433,971  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Thursday, 05/31/07
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (EC §336)..... Thursday, 05/31/07
  - b. Last day Proponent can circulate and file  
with the county. All sections are to be filed at the  
same time within each county (EC §336, 9030(a)) .....Monday, 10/29/07\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (EC §9030(b)).....Thursday, 11/08/07  
  
(If the Proponent files the petition with the county on a date prior to  
10/29/07, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (EC §9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties .....Saturday, 11/17/07\*\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(EC §9030(d)(e)).....Thursday, 01/03/08

\* Date adjusted for official deadline, which falls on a Weekend (EC § 15).

\*\*Date varies based on the date of county receipt.

INITIATIVE #1246  
Circulating and Filing Schedule continued:

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 11/17/07, the last day is no later than the thirtieth working day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 477,369 or less than 412,273 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 412,273 and 477,369 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (EC §9030(f)(g); 9031(a)) ..... Sunday, 01/13/08\*
  
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)) ..... Wednesday, 02/27/08

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 01/13/08, the last day is no later than the thirtieth working day after the county's receipt of notification)  
(EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033) ..... Sunday, 03/02/08\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



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May 31, 2007

FILED  
In the office of the Secretary of State  
of the State of California

Debra Bowen  
Secretary of State  
1500 - 11<sup>th</sup> Street, 5<sup>th</sup> Floor  
Sacramento, CA 95814

MAY 31 2007

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

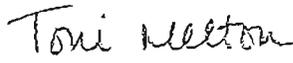
RE: Title and Summary for Initiative No. 07-0012  
TITLE: TRAINING FOR MANDATED REPORTERS OF CHILD ABUSE AND  
NEGLECT. STATUTORY AMENDMENT.

Dear Ms. Bowen:

Pursuant to the provisions in sections 336 and 9004 of the Elections Code, enclosed please find a copy of the Title and Summary issued for Initiative Number 07-0012 and text of the proposed measure.

Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,



TONI MELTON  
Initiative Secretary

For EDMUND G. BROWN JR.  
Attorney General

Enclosures

Date: May 31, 2007  
Initiative No. 07-0012

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

TRAINING FOR MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT.

STATUTORY AMENDMENT. Requires school districts and county offices of education that employ persons who are required by law to report child abuse to train all employees and such training shall include the procedure for identifying and reporting child abuse and neglect.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Cost to Schools. Potential one-time costs ranging from less than \$1 million to \$45 million and potential ongoing costs ranging from less than \$1 million to \$4 million. Child Welfare and Foster Care Costs. Potential increased costs ranging from about \$0.3 million to nearly \$3 million for the state and ranging from about \$0.2 million to about \$2 million for counties. Costs to State Courts and Local Law Enforcement. Potential increased costs of less than \$1 million to state courts and local law enforcement agencies. (Initiative 07-0012.)

April 7, 2007

Patricia Galvan  
Initiative Coordinator  
Office of the Attorney General  
1300 I Street  
Sacramento, CA 95814

RECEIVED

APR - 9 2007

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

Re: Request for Title and Summary for Proposed Initiative

Dear Ms. Galvan,

Pursuant to Article 11, Section 10(d) of the California Constitution, I am submitting to your office the attached proposed statewide Constitutional Amendment, entitled "Child Abuse and Neglect Initiative," and cordially request that you prepare an unbiased Title and Summary of the measure as provided by law. I have also included with this letter the required signed statement under California Elections Code, Section 9608, my voter registration address, and payment in the amount of \$200.

Thank you very much for your time and service. Should you have any questions or require additional information, you can contact me at, [REDACTED]  
[REDACTED] (707) 643-3154.

Sincerely,

  
Diana Evans, MSW

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

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We, the undersigned, registered, qualified voters of California, residents of \_\_\_\_\_ County (or City and County), hereby propose amendments to the Penal Code, relating to abused and neglected children, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding primary or general election, or at any special statewide election held prior to that primary or general election, or as otherwise provided by law. The proposed statutory amendments (full title and text of measure) read as follows:

SECTION 1. This act shall be known and may be cited as the Child Abuse and Neglect Identification and Reporting Act.

SEC. 2. Section 11165.7 of the Penal Code is amended to read:

11165.7. (a) As used in this article, "mandated reporter" is defined as any of the following:

(1) A teacher.

(2) An instructional aide.

(3) A teacher's aide or teacher's assistant employed by any public or private school.

(4) A classified employee of any public school.

(5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school.

(6) An administrator of a public or private day camp.

(7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.

(8) An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.

(9) Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.

(10) A licensee, an administrator, or an employee of a licensed community care or child day care facility.

(11) A Head Start program teacher.

(12) A licensing worker or licensing evaluator employed by a licensing agency as defined in Section 11165.11.

(13) A public assistance worker.

(14) An employee of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.

(15) A social worker, probation officer, or parole officer.

(16) An employee of a school district police or security department.

(17) Any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school.

(18) A district attorney investigator, inspector, or local child support agency caseworker unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.

(19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.

(20) A firefighter, except for volunteer firefighters.

(21) A ~~physician, surgeon, physician and surgeon~~, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage, family and child counselor, clinical social worker, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.

(22) Any emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.

(24) A marriage, family, and child therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.

(25) An unlicensed marriage, family, and child therapist intern registered under Section 4980.44 of the Business and Professions Code.

(26) A state or county public health employee who treats a minor for venereal disease or any other condition.

(27) A coroner.

(28) A medical examiner, or any other person who performs autopsies.

(29) A commercial film and photographic print processor, as specified in subdivision ~~(d)~~ (e) of Section 11166. As used in this article, "commercial film and photographic print processor" means any person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, for compensation. The term includes any employee of ~~such a~~ that person; ~~it,~~ but does not include a person who develops film or makes prints for a public agency.

(30) A child visitation monitor. As used in this article, "child visitation monitor" means any person who, for financial compensation, acts as monitor of a visit between a child and any other person when the monitoring of that visit has been ordered by a court of law.

(31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:

(A) "Animal control officer" means any person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.

(B) "Humane society officer" means any person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.

(32) A clergy member, as specified in subdivision ~~(e)~~ (d) of Section 11166. As used in this article, "clergy member" means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.

(33) Any custodian of records of a clergy member, as specified in this section and subdivision ~~(e)~~ (d) of Section 11166.

(34) Any employee of any police department, county sheriff's department, county probation department, or county welfare department.

(35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 1424 of the California Rules of Court.

(36) A custodial officer as defined in Section 831.5.

(37) Any person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.

(b) Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further

encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.

(c) Employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include, but not be limited to, training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.

(d) ~~School districts that do not train~~ and county offices of education shall provide training for their employees specified in subdivision (a) in the duties of mandated reporters under the child abuse and neglect identification and reporting laws shall report to the State Department of Education the reasons why this training is not provided. This training shall include, but not be limited to, training in the identification and reporting of child abuse and neglect, and the information and programs developed and provided under Section 44691 of the Education Code.

(e) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(f) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.