

AMENDED IN ASSEMBLY MAY 31, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1653

Introduced by Assembly Member Weber

January 13, 2016

An act to amend Section 66302 of, and to add Section 66073 to, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1653, as amended, Weber. Postsecondary education: campus climate.

Existing law establishes the segments of postsecondary education in this state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, the California Community Colleges administered by the Board of Governors of the California Community Colleges, and private postsecondary educational institutions.

This bill would require the board, the trustees, and the governing body of each private postsecondary educational institution, as defined, and encourage ~~the regents~~, *each University of California campus*, to each generate a report once every biennium of the legislative session, commencing with the 2017–18 Regular Session, that includes specified information related to the *respective* institution's campus climate, as defined, post the report on ~~its~~ *the respective institution's* Internet Web site, and submit the report to specified state bodies. For the purposes of the board's report, the bill would require the board to request certain information from community college districts, and would provide that the board's report shall be based on data available from participating

community college districts. The bill would require ~~the Department of Justice to provide guidance to the board, the trustees, the regents, and the governing body of each private postsecondary educational institution on institution, and would encourage the regents, to create, review every 2 years thereafter, and, as necessary, update protocols, policies, and procedures regarding~~ compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Reauthorization Act of 2013.

Existing law requests the trustees, the regents, and the governing board of each community college district to adopt and publish policies on harassment, intimidation, and bullying to be included within the rules and regulations governing student behavior, as provided.

This bill would require the trustees and the governing board of each community college district, if they expend funds to support activities related to campus climate, as defined, to adopt and publish the above-described policies. By requiring community college districts to adopt and publish these policies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66073 is added to the Education Code,
- 2 to read:
- 3 66073. (a) The Board of Governors of the California
- 4 Community Colleges and the Trustees of the California State
- 5 University are required, and ~~the Regents of the~~ *each* University of
- 6 California ~~are~~ *campus is* encouraged, to generate a report once
- 7 every biennium of the legislative session, commencing with the
- 8 2017–18 Regular Session, that shall include all of the following
- 9 as to the respective ~~segment:~~ *institution:*

- 1 (1) New and recent administrative efforts intended to affect
2 campus climate.
- 3 (2) Recent campus program developments that impact campus
4 climate related to the following:
- 5 (A) Gender.
 - 6 (B) Race.
 - 7 (C) Ethnicity.
 - 8 (D) National origin.
 - 9 (E) Religion.
 - 10 (F) Sexual orientation.
 - 11 (G) Disability.
 - 12 (H) Gender identity.
- 13 (3) New and recent administrative efforts to reduce student food
14 insecurity and student homelessness.
- 15 ~~(4) Data, including, but not limited to, both of the following:~~
- 16 ~~(A) Student demographic data.~~
 - 17 ~~(B) Crime data, including, but not limited to, the data required~~
18 ~~to be kept and disclosed in accordance with the Jeanne Clery~~
19 ~~Disclosure of Campus Security Policy and Campus Crime Statistics~~
20 ~~Act (20 U.S.C. Sec. 1092(f)) and the Violence Against Women~~
21 ~~Reauthorization Act of 2013 (20 U.S.C. Sec. 1092(f)(8)), and other~~
22 ~~hate crime statistics.~~
- 23 (b) The governing body of each private postsecondary
24 educational institution, as defined in Section 94858, shall generate
25 a report once every biennium of the legislative session,
26 commencing with the 2017–18 Regular Session, that shall include
27 all of the information specified in paragraphs (1) to (3), inclusive,
28 of subdivision (a) as to the institution.
- 29 (c) The Board of Governors of the California Community
30 Colleges, the Trustees of the California State University, and the
31 governing body of each private postsecondary educational
32 institution, as defined in Section 94858, are required, and ~~the~~
33 ~~Regents of the~~ *each* University of California ~~are~~ *campus is*
34 encouraged, to each post the respective report on its Internet Web
35 site.
- 36 ~~(d) The Department of Justice shall provide guidance to the~~
37 Board of Governors of the California Community Colleges, the
38 Trustees of the California State University, ~~the Regents of the~~
39 ~~University of California~~, and the governing body of each private
40 postsecondary educational institution, as defined in Section 94858,

1 ~~on~~ are required, and the Regents of the University of California
2 are encouraged, to create, review every two years thereafter, and,
3 as necessary, update protocols, policies, and procedures regarding
4 compliance with the Jeanne Clery Disclosure of Campus Security
5 Policy and Campus Crime Statistics Act (20 U.S.C. Sec. 1092(f))
6 and the Violence Against Women Reauthorization Act of 2013
7 (20 U.S.C. Sec. 1092(f)(8)).

8 (e) The Board of Governors of the California Community
9 Colleges shall request, but not require, the information specified
10 in paragraphs (1) to (3), inclusive, ~~and subparagraph (B) of~~
11 ~~paragraph (4),~~ of subdivision ~~(a),~~ (a) from community college
12 districts. The report of the board shall be based on data available
13 from participating community college districts.

14 (f) A report to be generated pursuant to this section shall be sent
15 to the Governor, the Attorney General, and the appropriate policy
16 committees of the Legislature.

17 (g) For purposes of this section, “campus climate” means a
18 measure of an individual’s experience within a learning
19 environment, specifically focusing on the current attitudes,
20 practices, policies, and behaviors of campus life that impact the
21 success and retention of all members of a campus community.

22 SEC. 2. Section 66302 of the Education Code is amended to
23 read:

24 66302. (a) If the Trustees of the California State University
25 and the governing board of each community college district expend
26 funds to support activities related to campus climate, as that term
27 is defined in subdivision (g) of Section 66073, the Trustees of the
28 California State University and the governing board of each
29 community college district shall adopt and publish policies on
30 harassment, intimidation, and bullying to be included within the
31 rules and regulations governing student behavior within their
32 respective segments of public postsecondary education.

33 (b) The Regents of the University of California are requested
34 to adopt and publish policies on harassment, intimidation, and
35 bullying to be included within their rules and regulations governing
36 student behavior.

37 (c) It is the intent of the Legislature that rules and regulations
38 governing student conduct be published, at a minimum, on the
39 Internet Web site of each public postsecondary educational campus
40 and as part of any printed material covering those rules and

1 regulations within the respective public postsecondary education
2 system.

3 SEC. 3. If the Commission on State Mandates determines that
4 this act contains costs mandated by the state, reimbursement to
5 local agencies and school districts for those costs shall be made
6 pursuant to Part 7 (commencing with Section 17500) of Division
7 4 of Title 2 of the Government Code.

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