

AMENDED IN SENATE JUNE 28, 2016

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~~; *independent institutions of higher education*.

This bill would require the board, the trustees, and the governing body of each ~~private postsecondary educational institution~~; *independent institution of higher education*, as defined, and encourage 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 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 board, the trustees, and the governing body of each ~~private postsecondary educational institution~~, *independent institution of higher education*, 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 each University of California campus
6 is encouraged, to generate a report once every biennium of the

1 legislative session, commencing with the 2017–18 Regular Session,
2 that shall include all of the following as to the respective institution:

3 (1) New and recent administrative efforts intended to affect
4 campus climate.

5 (2) Recent campus program developments that impact campus
6 climate related to the following:

7 (A) Gender.

8 (B) Race.

9 (C) Ethnicity.

10 (D) National origin.

11 (E) Religion.

12 (F) Sexual orientation.

13 (G) Disability.

14 (H) Gender identity.

15 (3) New and recent administrative efforts to reduce student food
16 insecurity and student homelessness.

17 (b) The governing body of each ~~private postsecondary~~
18 ~~educational institution, independent institution of higher education,~~
19 as defined in *subdivision (b) of Section 94858, 66010*, shall
20 generate a report once every biennium of the legislative session,
21 commencing with the 2017–18 Regular Session, that shall include
22 all of the information specified in paragraphs (1) to (3), inclusive,
23 of subdivision (a) as to the institution.

24 (c) The Board of Governors of the California Community
25 Colleges, the Trustees of the California State University, and the
26 governing body of each ~~private postsecondary educational~~
27 ~~institution, independent institution of higher education,~~ as defined
28 in *subdivision (b) of Section 94858, 66010*, are required, and each
29 University of California campus is encouraged, to each post the
30 respective report on its Internet Web site.

31 (d) The Board of Governors of the California Community
32 Colleges, the Trustees of the California State University, and the
33 governing body of each ~~private postsecondary educational~~
34 ~~institution, independent institution of higher education,~~ as defined
35 in *subdivision (b) of Section 94858, 66010*, are required, and the
36 Regents of the University of California are encouraged, to create,
37 review every two years thereafter, and, as necessary, update
38 protocols, policies, and procedures regarding compliance with the
39 Jeanne Clery Disclosure of Campus Security Policy and Campus
40 Crime Statistics Act (20 U.S.C. Sec. 1092(f)) and the Violence

1 Against Women Reauthorization Act of 2013 (20 U.S.C. Sec.
2 1092(f)(8)).

3 (e) The Board of Governors of the California Community
4 Colleges shall request, but not require, the information specified
5 in paragraphs (1) to (3), inclusive, of subdivision (a) from
6 community college districts. The report of the board shall be based
7 on data available from participating community college districts.

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

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

16 SEC. 2. Section 66302 of the Education Code is amended to
17 read:

18 66302. (a) If the Trustees of the California State University
19 and the governing board of each community college district expend
20 funds to support activities related to campus climate, as that term
21 is defined in subdivision (g) of Section 66073, the Trustees of the
22 California State University and the governing board of each
23 community college district shall adopt and publish policies on
24 harassment, intimidation, and bullying to be included within the
25 rules and regulations governing student behavior within their
26 respective segments of public postsecondary education.

27 (b) The Regents of the University of California are requested
28 to adopt and publish policies on harassment, intimidation, and
29 bullying to be included within their rules and regulations governing
30 student behavior.

31 (c) It is the intent of the Legislature that rules and regulations
32 governing student conduct be published, at a minimum, on the
33 Internet Web site of each public postsecondary educational campus
34 and as part of any printed material covering those rules and
35 regulations within the respective public postsecondary education
36 system.

37 SEC. 3. If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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