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**AB-2047 Public postsecondary education: discrimination prevention.** (2023-2024)

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**Assembly Bill No. 2047**

**CHAPTER 693**

An act to add Sections 66279, 66279.5, 66280, and 66280.5 to the Education Code, relating to public postsecondary education.

[ Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2047, Mike Fong. Public postsecondary education: discrimination prevention.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, and the University of California, under the administration of the Regents of the University of California, as 2 of the segments of public postsecondary education in the state.

Existing federal law, known as Title IX, prohibits a person, on the basis of sex, from being excluded from participation in, being denied the benefits of, or being subject to discrimination, which includes sexual harassment, under any education program or activity receiving federal financial assistance.

Existing law prohibits a person from being subjected to discrimination on the basis of specified attributes, including, among others, disability or gender, in a program or activity conducted by a postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid.

This bill would require each California State University campus to establish, and each University of California campus to designate, a Title IX office, as provided. The bill would require each Title IX office to be under the administration of a Title IX coordinator who would be responsible for coordinating the campus' implementation of and compliance with systemwide nondiscrimination policies, as specified. The bill would require each Title IX office, among other things, to ensure, or oversee and ensure, timely and effective responses to reports and complaints of sex discrimination, and to provide a process, or oversee the process, of adjudicating and resolving complaints of sex discrimination, as provided. This bill would also require the California State University to establish, and the University of California to designate, on or before July 1, 2026, a systemwide Office of Civil Rights to be led by a systemwide civil rights officer, as specified. The bill would require the California State University systemwide Office of Civil Rights to establish and adopt, and the University of California systemwide Office of Civil Rights to identify and maintain, a systemwide nondiscrimination policy, and to develop and implement a grievance procedure for sex discrimination complaints in which the respondent is a systemwide employee, a member of the systemwide governing body, or other specified person, as provided. The bill would also require each systemwide Office of Civil Rights to, among other things, provide or oversee specified education and training, establish best practices guidance on sex discrimination prevention and complaint adjudication, and conduct compliance reviews, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 66279 is added to the Education Code, to read:

**66279.** (a) (1) Notwithstanding any other law, and in furtherance of complying with Section 66270, each campus of the California State University shall establish, on or before July 1, 2026, a Title IX office in a private space for students and employees to disclose reports and complaints of sex discrimination, including, but not limited to, sexual harassment. The established Title IX office space may be located within an existing office on campus, including, but not limited to, a civil rights office or antidiscrimination office. The Title IX office shall be under the administration of a Title IX coordinator who shall be responsible for coordinating the campus' implementation of and compliance with the systemwide nondiscrimination policy established pursuant to Section 66280.

(2) The Title IX office shall do all of the following:

(A) Ensure timely and effective responses to reports and complaints of sex discrimination, including, but not limited to, sexual harassment.

(B) Provide supportive measures to complainants, and, as applicable, respondents.

(C) Provide a process of adjudicating and resolving complaints of sex discrimination, including, but not limited to, sexual harassment, pursuant to the systemwide nondiscrimination policy established pursuant to Section 66280.

(D) Maintain a case management system that includes all of the following information for each complaint of sex discrimination, including, but not limited to, sexual harassment:

(i) The date of the complaint and the date, nature, and location of the alleged incident or incidents.

(ii) The name of the person who reported the complaint and the person's affiliation with the campus, or whether the complaint was reported anonymously.

(iii) The name and title of the person who received the complaint.

(iv) The name of the person alleged to have experienced sex discrimination and their affiliation with the campus.

(v) The name of the respondent and the respondent's affiliation with the campus.

(vi) Any campus community context, including, but not limited to, the athletic team, student organization, or campus department or office where the alleged incident or incidents occurred.

(vii) Whether the complaint was received by the campus, along with a copy of the notice of allegations provided to the parties. If the campus dismissed the complaint, a copy of the written notice of dismissal provided to the parties with the reason for the dismissal.

(viii) Whether the campus opened an investigation of the complaint and, if applicable, its reason for declining to investigate the complaint.

(ix) The name of the person assigned to investigate the complaint, and the name of the person assigned to implement any supportive measures pursuant to subparagraph (B).

(x) All supportive measures offered and implemented in response to the complaint pursuant to subparagraph (B).

(xi) The names of all witnesses identified by either party, interview notes or summaries, if available, and, for any witnesses who were not interviewed, an explanation of why they were not interviewed.

(xii) Once completed, the final investigative report for the complaint and any response made to the final investigative report by the complainant or respondent.

(xiii) The outcome of the complaint, including, if applicable, the rulings from a hearing on the complaint and any disciplinary measures.

(xiv) The remedies implemented by the Title IX coordinator and the campus, if applicable, to deter and prevent the recurrence of sex discrimination incidents.

(E) Develop and implement a prevention and outreach program on sex discrimination, including, but not limited to, sexual harassment. This program shall be reviewed and, if necessary, updated annually to address sex discrimination incidents and prevent the recurrence of sex discrimination incidents. The program shall do all of the following:

(i) Address a range of strategies to prevent sex discrimination, including, but not limited to, a survivor empowerment program, a public awareness campaign, primary prevention, bystander intervention, and risk reduction.

(ii) Provide to students, faculty, and staff information regarding the protocols for reporting complaints of sex discrimination, including the name, office location, and contact information of the Title IX coordinator, by both of the following means:

(I) Emailing the information to each student, faculty member, and staff member at the beginning of each academic semester or other academic term.

(II) Including the information as part of an on-campus orientation program pursuant to Section 67385.7.

(F) Develop and implement a campus prevention training program for students, faculty, and staff. The campus prevention training shall do, or include, but not be limited to, all of the following:

(i) Incorporate required bystander intervention training, policy awareness training, and primary prevention training.

(ii) Adopt an approach of intersectionality that calls for a pursuit of culturally relevant programs and practices that name and meaningfully consider how students, faculty, and staff of various identities, including, but not limited to, race, national origin, gender identity, class, sexual orientation, and ability, interact with each other.

(iii) Training that contains feedback loops to determine if the training is having the intended effect.

(iv) Training that complies with Section 67385.7.

(v) In response to patterns of occurrences of sex discrimination incidents, provide additional prevention training to student organizations on campus, including, but not limited to, college-affiliated fraternities and sororities, athletic teams, and students who reside on campus.

(b) (1) The Title IX coordinator shall have the authority and responsibility to implement a consistent campuswide response to complaints of sex discrimination, including, but not limited to, sexual harassment. The Title IX coordinator shall have the experience, training, and expertise necessary to coordinate and carry out the systemwide nondiscrimination policy established pursuant to Section 66280. The Title IX coordinator shall operate with the authority, independence, and resources necessary to fulfill the duties required by this section. The Title IX coordinator shall be a full-time position, and shall be responsible for preventing and addressing sex discrimination, including, but not limited to, sexual harassment, on campus.

(2) The Title IX coordinator shall meet, on or before September 1, 2026, and at least once every three months thereafter, with the campus president to provide an update on the Title IX office's compliance with paragraph (2) of subdivision (a). The update shall include how the campus is fulfilling the obligation to provide educational programs free from sex discrimination. Beginning on September 1, 2027, and each year thereafter, an annual summary of the updates shall be posted on the campus internet website.

(c) Beginning with the 2026–27 academic year, the Title IX coordinator and the president of the campus shall assess whether additional staffing or resources are needed by the Title IX office to fulfill the duties of the Title IX office established pursuant to this section. If additional staff or resources are needed, the Title IX coordinator and the president of the campus shall make a request for the additional staffing or resources to be included in the annual systemwide budget request made by the system to the Governor, in compliance with the policies established by the system for making budgetary requests.

**SEC. 2.** Section 66279.5 is added to the Education Code, to read:

**66279.5.** (a) (1) Notwithstanding any other law, and in furtherance of complying with Section 66270, each campus of the University of California shall designate, on or before July 1, 2026, a private space, known as the Title IX office, for students and employees to disclose reports and complaints of sex discrimination, including, but not limited to, sexual harassment. The designated Title IX office space may be located within an existing office on campus, including, but not limited to, a civil rights office or antidiscrimination office. The Title IX office shall be under the administration of a Title IX coordinator who shall be responsible for coordinating the campus' implementation of and compliance with the systemwide nondiscrimination policy identified and maintained pursuant to Section 66280.5.

(2) The Title IX coordinator and designated staff shall do all of the following:

(A) Oversee and ensure timely and effective responses to reports and complaints of sex discrimination, including, but not limited to, sexual harassment.

(B) Oversee the provision of supportive measures to complainants, and, as applicable, respondents.

(C) Oversee the process of adjudicating and resolving complaints of sex discrimination, including, but not limited to, sexual harassment, pursuant to the systemwide nondiscrimination policy identified and maintained pursuant to Section 66280.5.

(D) Maintain a case management system that includes all of the following information for each complaint of sex discrimination, including, but not limited to, sexual harassment:

- (i) The date of the complaint and the date, nature, and location of the alleged incident or incidents.
- (ii) The name of the person who reported the complaint and the person's affiliation with the campus, or whether the complaint was reported anonymously.
- (iii) The name and title of the person who received the complaint.
- (iv) The name of the person alleged to have experienced sex discrimination and their affiliation with the campus.
- (v) The name of the respondent and the respondent's affiliation with the campus.
- (vi) Any campus community context, including, but not limited to, the athletic team, student organization, or campus department or office where the alleged incident or incidents occurred.
- (vii) A copy of the notice of allegations provided to the parties. If the campus dismissed the complaint, a copy of the written notice of dismissal provided to the parties with the reason for the dismissal.
- (viii) Whether the campus opened an investigation of the complaint and, if applicable, its reason for declining to investigate the complaint.
- (ix) The name of the person assigned to investigate the complaint, and the name of the person assigned to implement any supportive measures pursuant to subparagraph (B).
- (x) All supportive measures offered and implemented in response to the complaint pursuant to subparagraph (B).
- (xi) The names of all witnesses identified by either party, interview notes or summaries, if available, and, for any witnesses who were not interviewed, an explanation of why they were not interviewed.
- (xii) Once completed, the final investigative report for the complaint and any response made to the final investigative report by the complainant or respondent.
- (xiii) The outcome of the complaint, including, if applicable, the rulings from a hearing on the complaint and any disciplinary measures.
- (xiv) The remedies implemented by the Title IX coordinator and the campus, if applicable, to deter and prevent the recurrence of sex discrimination incidents.

(E) Oversee the development and implementation of a prevention and outreach program on sex discrimination, including, but not limited to, sexual harassment. This program shall be reviewed and, if necessary, updated annually to address sex discrimination incidents and prevent the recurrence of sex discrimination incidents. The program shall do all of the following:

- (i) Address a range of strategies to prevent sex discrimination, including, but not limited to, a survivor empowerment program, a public awareness campaign, primary prevention, bystander intervention, and risk reduction.
- (ii) Provide to students, faculty, and staff information regarding the protocols for reporting complaints of sex discrimination, including the name, office location, and contact information of the Title IX coordinator, by both of the following means:
  - (I) Emailing the information to each student, faculty member, and staff member at the beginning of each academic semester or other academic term.
  - (II) Including the information as part of an on-campus orientation program pursuant to Section 67385.7.

(F) Oversee the development and implementation of a campus prevention training program for students, faculty, and staff. The campus prevention training shall do, or include, all of the following:

- (i) Incorporate required bystander intervention training, policy awareness training, and primary prevention training.
- (ii) Adopt an approach of intersectionality that calls for a pursuit of culturally relevant programs and practices that name and meaningfully consider how students, faculty, and staff of various identities, including, but not limited to, race, national origin, gender identity, class, sexual orientation, and ability, interact with each other.

(iii) Training that contains feedback loops to determine if the training is having the intended effect.

(iv) Training that complies with Section 67385.7.

(v) In response to patterns of occurrences of sex discrimination incidents, provide additional prevention training to student organizations on campus, including, but not limited to, college-affiliated fraternities and sororities, athletic teams, and students who reside on campus.

(b) (1) The Title IX coordinator shall have the authority and responsibility to implement a consistent campuswide response to complaints of sex discrimination, including, but not limited to, sexual harassment. The Title IX coordinator shall have the experience, training, and expertise necessary to coordinate and carry out the systemwide nondiscrimination policy identified and maintained pursuant to Section 66280.5. The Title IX coordinator shall operate with the authority, independence, and resources necessary to fulfill the duties required by this section. The Title IX coordinator shall be a full-time position, and shall be responsible for overseeing campuswide efforts to prevent and address sex discrimination, including, but not limited to, sexual harassment, on campus.

(2) The Title IX coordinator shall meet, on or before September 1, 2026, and at least once every three months thereafter, with the campus chancellor to provide updates on the Title IX office's compliance with paragraph (2) of subdivision (a). The updates shall include an update on how the campus is fulfilling the obligation to provide educational programs free from sex discrimination. Beginning on September 1, 2027, and each year thereafter, an annual summary of the updates shall be posted on the campus internet website.

(c) Beginning with the 2026–27 academic year, the Title IX coordinator shall recommend to the chancellor of the campus whether additional staffing or resources are needed to fulfill the duties required by this section. If additional staff or resources are needed, the chancellor of the campus shall make a request for the additional staffing or resources, in compliance with the policies established by the system for making budgetary requests.

(d) Notwithstanding Section 67400, this section shall apply to the University of California.

**SEC. 3.** Section 66280 is added to the Education Code, to read:

**66280.** (a) Notwithstanding any other law, in order to be in compliance with Section 66270, the California State University shall do both of the following on or before July 1, 2026:

(1) Establish a systemwide Office of Civil Rights for the purpose of ensuring campus programs and activities are free from sex discrimination. The office shall be led by the systemwide civil rights officer designated pursuant to paragraph (2), who shall report on a periodic and regular basis to the Chancellor of the California State University and the Trustees of the California State University about the status of the implementation of the systemwide nondiscrimination policies pursuant to this section. The systemwide civil rights officer shall be responsible for coordinating the system's implementation of and compliance with the systemwide nondiscrimination policies established pursuant to this section.

(2) Establish the position of, and designate a staff person as, the systemwide civil rights officer to monitor the system's compliance with Section 66292.1. The systemwide civil rights officer shall have the experience, training, and expertise necessary to coordinate and carry out the requirements of the systemwide Office of Civil Rights pursuant to this section, and to, if necessary, recruit, hire, and train personnel to carry out the requirements of this section.

(b) The systemwide Office of Civil Rights established pursuant to paragraph (1) of subdivision (a) shall do all of the following:

(1) In consultation with confidential advocates, sexual assault and domestic violence counselors, students, faculty, and staff, establish and adopt a single, systemwide nondiscrimination policy for the entire system. The policy shall incorporate state and federal law pertaining to the prevention of sex discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.) and Sections 66281.4, 66281.5, 66281.8, 67385, 67385.7, and 67386.

(2) In accordance with the policy adopted pursuant to paragraph (1), develop and implement a grievance procedure for prompt and equitable processing, adjudication, and resolution of all complaints of sex discrimination filed by students, faculty, or staff in which the respondent is any of the following:

(A) A campus president.

(B) A campus Title IX coordinator.

(C) An employee of the office of the Chancellor of the California State University.

(D) A member of the Trustees of the California State University.

(E) The Chancellor of the California State University.

(3) Adjudicate any complaints described in paragraph (2) in accordance with the systemwide nondiscrimination policy adopted pursuant to paragraph (1).

(4) Provide annual training for personnel in Title IX offices on a campus of the California State University.

(5) Establish and serve as a resource for the implementation of the best practices guidance for the prevention of sex discrimination and the adjudication of complaints of sex discrimination as required by the systemwide nondiscrimination policy adopted pursuant to paragraph (1).

(6) Process appeals for sex discrimination complaints pursuant to Section 66292.3.

(7) (A) Conduct a compliance review, at least once every three years, of each campus of the California State University to determine whether they are complying with the systemwide nondiscrimination policy pursuant to paragraph (1) and the best practices established pursuant to paragraph (5).

(B) The compliance reviews conducted pursuant to subparagraph (A) shall be presented during a public session of the Trustees of the California State University in the year the review is completed and shall be made public on the internet website of the trustees and on the campus internet website.

(8) Establish a range of disciplinary sanctions for respondents who are students, faculty, or staff of the system and who are found to have violated the system's nondiscrimination policy.

(9) Annually assess whether the systemwide Office of Civil Rights requires additional staffing or resources to comply with this section, and, if required, make a request for the additional staffing or resources to be included in the annual systemwide budget request made by the system to the Governor, in compliance with the policies established by the system for making budgetary requests.

**SEC. 4.** Section 66280.5 is added to the Education Code, to read:

**66280.5.** (a) Notwithstanding any other law, in order to be in compliance with Section 66270, the University of California shall do both of the following on or before July 1, 2026:

(1) Designate a systemwide Office of Civil Rights for the purpose of ensuring campus programs and activities are free from sex discrimination. The office shall be led by the systemwide civil rights officer designated pursuant to paragraph (2), who shall report on a periodic basis to the President of the University of California and the Regents of the University of California about the status of the implementation of the systemwide nondiscrimination policies pursuant to this section. The systemwide civil rights officer shall be responsible for coordinating the system's implementation of and compliance with the systemwide nondiscrimination policies established pursuant to this section.

(2) Establish the position of, and designate a staff person as, the systemwide civil rights officer to monitor the system's compliance with Section 66292.2. The systemwide civil rights officer shall have the experience, training, and expertise necessary to coordinate and carry out the requirements of the systemwide Office of Civil Rights pursuant to this section and to, if necessary, recruit, hire, and train personnel to carry out the requirements of this section.

(b) The systemwide Office of Civil Rights established pursuant to paragraph (1) of subdivision (a) shall do all of the following:

(1) Identify and maintain a single, systemwide nondiscrimination policy for the entire system. The policy shall incorporate state and federal law pertaining to the prevention of sex discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.) and Sections 66281.4, 66281.5, 66281.8, 67385, 67385.7, and 67386.

(2) In accordance with the policy identified and maintained pursuant to paragraph (1), develop and implement a grievance procedure for prompt and equitable processing, adjudication, and resolution of all complaints of sex discrimination filed by students, faculty, or staff in which the respondent is any of the following:

(A) A campus chancellor.

(B) A campus Title IX coordinator.

(C) An employee of the office of the President of the University of California.

(D) A member of the Regents of the University of California.

(E) The President of the University of California.

(3) Oversee the adjudication of any complaints described in paragraph (2) in accordance with the systemwide nondiscrimination policy identified and maintained pursuant to paragraph (1).

(4) Oversee the annual training for personnel in Title IX offices on a campus of the University of California.

(5) Establish and serve as a resource for the implementation of best practices guidance for the prevention of sex discrimination and the adjudication of complaints of sex discrimination as required by the systemwide nondiscrimination policy identified and maintained pursuant to paragraph (1).

(6) (A) Conduct a compliance review, at least once every five years, of each campus of the University of California to determine whether they are complying with the systemwide nondiscrimination policy identified and maintained pursuant to paragraph (1) and the best practices established pursuant to paragraph (5).

(B) The compliance reviews conducted pursuant to subparagraph (A) shall be presented during a public session of the Regents of the University of California in the year the review is completed and shall be made public on the internet website of the regents and on the campus internet website.

(7) Establish a range of disciplinary sanctions for respondents who are students, faculty, or staff of the system and who are found to have violated the system's nondiscrimination policy.

(8) Annually assess whether the systemwide Office of Civil Rights requires additional staffing or resources to comply with this section, and, if required, make a request for the additional staffing or resources in compliance with the policies established by the system for making budgetary requests.

(c) Notwithstanding Section 67400, this section shall apply to the University of California.