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AB-602 Public postsecondary education: student behavior: drug and alcohol use: rehabilitation programs. (2025-2026)

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Assembly Bill No. 602

CHAPTER 159

An act to amend Section 66300 of the Education Code, relating to public postsecondary education.

[Approved by Governor October 01, 2025. Filed with Secretary of State October 01, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 602, Haney. Public postsecondary education: student behavior: drug and alcohol use: rehabilitation programs.

Existing law, known as the Donahoe Higher Education Act, establishes the California Community Colleges, the California State University, and the University of California as the public segments of postsecondary education in the state. Existing law requires the Regents of the University of California, the Trustees of the California State University, and the governing board of every community college district to adopt or provide for the adoption of specific rules and regulations governing student behavior and to adopt procedures by which all students are informed of the rules and regulations, with applicable penalties, as provided. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable.

Existing federal law requires, as a condition of receiving federal funds or other forms of financial assistance, institutions of higher education to annually distribute to each student and employee standards of conduct that clearly prohibit unlawful possession, use, or distribution of illicit drugs or alcohol, as provided, and a clear statement that the institution will impose sanctions for violations of the standards of conduct. Existing federal law characterizes the completion of an appropriate rehabilitation program as a permissible form of the required sanctions.

This bill would require the Regents of the University of California and the Trustees of the California State University, in adopting the above-described rules and regulations, to place in the highest priority the health, safety, and well-being of the campus community. The bill would also require those entities, on or before July 1, 2026, to adopt, or provide for the adoption of, rules and regulations that (1) prohibit students receiving medical treatment for the personal use of drugs or alcohol in violation of the rules and regulations governing student behavior from being subject to disciplinary action for that use of drugs or alcohol if they complete an appropriate rehabilitation program, as defined, and (2) require students who receive medical treatment for the personal use of drugs or alcohol in a manner that violates the rules or regulations of the university to be offered the chance to complete an appropriate rehabilitation program, as provided. The bill would establish that this prohibition on disciplinary action, and the requirement that the university offer an appropriate rehabilitation program, only apply to a student once in an academic semester, quarter, or term, as provided.

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

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

SECTION 1. Section 66300 of the Education Code is amended to read:

66300. (a) The Regents of the University of California, the Trustees of the California State University, and the governing board of every community college district, shall adopt or provide for the adoption of specific rules and regulations governing student behavior along with applicable penalties for violation of the rules and regulations. The institutions shall adopt procedures by which all students are informed of these rules and regulations, with applicable penalties, and any revisions thereof.

(b) In adopting the rules and regulations governing student behavior pursuant to subdivision (a), the Regents of the University of California and the Trustees of the California State University shall place in the highest priority the health, safety, and well-being of the campus community and shall, on or before July 1, 2026, adopt, or provide for the adoption of, rules and regulations governing student behavior as follows:

(1) Students receiving medical treatment for the personal use of drugs or alcohol shall not be subject to disciplinary action with respect to the use of drugs or alcohol in violation of the rules and regulations governing student behavior adopted pursuant to subdivision (a) if they complete an appropriate rehabilitation program, as described in subdivision (d).

(2) Students described in paragraph (1) who violate rules and regulations for drug or alcohol use shall be offered the chance to complete an appropriate rehabilitation program, as described in subdivision (d).

(c) Subdivision (b) shall not apply to students who receive medical treatment for personal use of drugs or alcohol and are subject to a disciplinary sanction or sanctions for additional violations of rules and regulations governing student behavior adopted pursuant to subdivision (a).

(d) In order for the prohibition on disciplinary action pursuant to subdivision (b) to apply to a student related to that student's violation of the institution's rules and regulations on drug and alcohol use, the student shall, pursuant to Section 1011i of Title 20 of the United States Code, be required to participate in an appropriate rehabilitation program within the timeframe set by the campus administrator overseeing student disciplinary actions. If the student does not complete the appropriate rehabilitation program, they shall be subject to disciplinary action in accordance with the institution's rules and regulations governing student behavior.

(e) Nothing in this section shall prohibit the institution from including information about the appropriate rehabilitation program completed pursuant to subdivision (d) and the exemption from disciplinary action provided pursuant to subdivision (b) in a student's administrative file.

(f) The prohibition on disciplinary action for drug and alcohol use described in paragraph (1) of subdivision (b), and the requirement that the student be offered the chance to complete an appropriate rehabilitation program, as described in paragraph (2) of subdivision (b), shall only apply to a student once in an academic semester, quarter, or term, as defined by the campus. For subsequent violations of rules and regulations related to drug and alcohol use in the same academic semester, quarter, or term, the institution shall subject the student to disciplinary proceedings, at the conclusion of which the institution may impose disciplinary action or offer the student the chance to complete an appropriate rehabilitation program, as that term is described in subdivision (d).

(g) It is the intent of the Legislature for a campus of the California State University and the University of California to provide restorative justice practices for disciplinary proceedings for violations of the institution's rules and regulations related to drug and alcohol use, when deemed appropriate based on the totality of circumstances.

(h) This section does not in any way modify or affect the requirements under state or federal law for the reporting of crimes that occur on campus as it pertains to drug possession, drug manufacturing, drug distribution, and drug use.

(i) For purposes of this section, "appropriate rehabilitation program" means an appropriate counseling, treatment, rehabilitation, or other diversion program, and may include, but is not limited to, participating in meetings with a school counselor or attending a drug education group.