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SB-334 Pupil instruction: sexual harassment, sexual assault, and sexual abuse prevention: safety. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 334

Introduced by Senator Reyes
(Coauthors: [Assembly Members Addis and Muratsuchi](#))

February 12, 2025

An act to amend Section 51934 of, to add Sections ~~221.62, 33546.6, and 48900.1~~ [221.62 and 33546.6](#) to, and to add Article 9 (commencing with Section 49398) to Chapter 8 of Part 27 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 334, as amended, Reyes. Pupil instruction: sexual harassment, sexual assault, and sexual abuse prevention: safety.

(1) 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 under, any education program or activity receiving federal financial assistance. Existing state law, the Sex Equity in Education Act, requires public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county offices of education, and charter schools to post in a prominent and conspicuous location on their internet websites specified information relating to Title IX.

This bill would require the State Department of Education to, on or before January 1, 2028, review the existing California School Climate, Health, and Learning Surveys system to identify areas of the surveys where age-appropriate questions related to sexual harassment, sexual assault, and sexual abuse safety can be incorporated, as provided.

The bill would declare the ~~first 2 full weeks in April and the first 2 full weeks~~ [second full week](#) in September as "Sexual Harassment Safety ~~Weeks,~~ [Week,](#)" during which time the bill would require all public schools, including charter schools, to focus on fostering a safe and secure environment for all members of the school community and place an emphasis on preventing

sexual harassment, sexual assault, and sexual abuse, as provided. By imposing new duties on schools, the bill would impose a state-mandated local program. The bill would encourage public schools to host interactive activities that cover school policies related to preventing sexual harassment, sexual assault, and sexual abuse, and prominently post specified resources and information about preventing those acts on the school's digital platform, as provided. The bill would encourage school districts, county offices of education, and charter schools to, in coordination with specified personnel, send a written notice to the school community highlighting the Sexual Harassment Safety ~~Weeks~~. *Week*.

(2) Existing law establishes the Instructional Quality Commission and requires the commission to, among other things, recommend curriculum frameworks to the State Board of Education. Existing law, the California Healthy Youth Act, requires school districts, charter schools, county boards of education, county superintendents of schools, the California School for the Deaf, and the California School for the Blind to ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education, as specified. The act requires that instruction to include, among other things, information about sexual assault, sexual harassment, sexual abuse, and human trafficking, as provided.

This bill would require the commission, when the Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve is next revised on or after January 1, 2026, to consider including in that curriculum framework information related to, among other things, the Uniform Complaint Procedures, Title IX, and what a pupil should do if they believe another pupil has been subjected to sexual abuse, sexual assault, sexual harassment, or retaliation, as provided. The bill would encourage the same information to also be provided as part of the instruction required under the comprehensive sexual health education and HIV prevention education provisions.

~~(3) Existing law prohibits a pupil from being suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act from a list of specified acts, including acts of sexual harassment and sexual assault, as provided.~~

~~This bill would require school districts, county offices of education, and charter schools to, in order to identify ways to achieve rehabilitative outcomes, periodically review consequences that the local educational agency may impose on a pupil for carrying out acts of (A) committing or attempting to commit a sexual assault or committing a sexual battery, (B) cyber sexual bullying, or (C) sexual harassment, as provided. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program.~~

~~(4)~~

(3) 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 the statutory provisions noted above.

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

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

SECTION 1. Section 221.62 is added to the Education Code, to read:

221.62. The department shall, on or before January 1, 2028, review the existing California School Climate, Health, and Learning Surveys system, also known as the CalSCHLS system, which includes the California Healthy Kids Survey, the California School Staff Survey, and the California School Parent Survey, to identify areas of the surveys where age-appropriate questions related to sexual harassment, sexual assault, and sexual abuse safety can be incorporated in order to ensure a safe campus climate.

SEC. 2. Section 33546.6 is added to the Education Code, immediately following Section 33546.4, to read:

33546.6. When the "Health Education Framework for California Public Schools, Kindergarten Through Grade Twelve" (health framework) is next revised, on or after January 1, 2026, the commission shall consider including in that curriculum framework all of the following information:

(a) The Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.).

(b) The authority of the department and the United States Department of Education's Office for Civil Rights to investigate and enforce the Uniform Complaint Procedures and Title IX, respectively.

(c) The definition of sexual harassment and any legal prohibitions regarding that term.

(d) (1) What a pupil should do if they believe another pupil has been subjected to sexual abuse, sexual assault, sexual harassment, or retaliation, including how to make a report, how to file a complaint with a local educational agency's Title IX coordinator, and how to file a complaint through a local educational agency's Uniform Complaint Procedures process with the person, employee, agency position, or unit that is responsible for receiving Uniform Complaint Procedures complaints.

(2) The positive outcomes associated with reporting incidents, including creating a safer school environment and changing the school culture.

(3) Any interim and supportive measures available to pupils who report sexual harassment or retaliation for reporting an incident and the remedies available to them following a finding of sexual harassment or retaliation.

(e) Information about the range of disciplinary consequences that may be imposed on a pupil for carrying out any of the following acts in order to deter such behavior:

(1) Committing or attempting to commit a sexual assault or committing a sexual battery, as described in subdivision (n) of Section 48900.

(2) Cyber sexual bullying, as described in clause (iii) of subparagraph (A) of paragraph (2) of subdivision (r) of Section 48900.

(3) Sexual harassment, as described in Section 48900.2.

~~SEC. 3. Section 48900.01 is added to the Education Code, immediately following Section 48900, to read:~~

~~48900.01. (a) It is the intent of the Legislature that every high school in the state provide an annual training for high school pupils related to sexual harassment prevention.~~

~~(b) School districts, county offices of education, and charter schools shall, in order to identify ways to achieve rehabilitative outcomes, periodically review consequences, including suspensions and alternatives to suspensions, that the local educational agency may impose on a pupil for carrying out any of the following acts:~~

~~(1) Committing or attempting to commit a sexual assault or committing a sexual battery, as described in subdivision (n) of Section 48900.~~

~~(2) Cyber sexual bullying, as described in clause (iii) of subparagraph (A) of paragraph (2) of subdivision (r) of Section 48900.~~

~~(3) Sexual harassment, as described in Section 48900.2.~~

SEC. 4. ~~SEC. 3.~~ Article 9 (commencing with Section 49398) is added to Chapter 8 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 9. Sexual Harassment Safety ~~Weeks~~ **Week**

49398. (a) The ~~first two full weeks in April and the first two full weeks~~ **second full week** in September shall be known as "Sexual Harassment Safety ~~Weeks,~~ **Week,**" during which time all public schools, including charter schools, shall do all of the following:

(1) Focus on fostering a safe and secure environment for all members of the school community.

(2) Place an emphasis on preventing sexual harassment, sexual assault, and sexual abuse.

(3) Relate paragraphs (1) and (2) to school safety, resources, and awareness.

(b) Public schools are encouraged to do both of the following during the Sexual Harassment Safety ~~Weeks:~~ **Week:**

(1) Host interactive activities that cover school policies related to preventing sexual harassment, sexual assault, and sexual abuse, which may include any of **the** following:

(A) A meeting or listening session between pupils and administrators to facilitate conversation on the prevention of sexual harassment, sexual assault, and sexual abuse, including how to prevent grooming, reviewing the school's sexual harassment, sexual assault, and sexual abuse prevention policies, and reviewing the school's Uniform Complaint Procedures and Title IX complaint procedures.

(B) Guest speaker events in collaboration with experts in the subject of the prevention of sexual harassment, sexual assault, and sexual abuse, school staff, and trusted community leaders and organizations.

(C) Pupil assemblies or guided classroom presentations with compliance and Title IX coordinators, and, regarding sexual abuse, school resource officers.

(D) Engagement with parents or guardians and providing a space for feedback, such as through a sexual harassment, sexual assault, and sexual abuse prevention community oversight committee or a school climate advisory committee.

(2) Prominently post resources and information about preventing sexual harassment, sexual assault, and sexual abuse throughout the campus and on the school's digital platform, which may include any of the following:

(A) The information required to be posted on the public school's local educational agency's internet website pursuant to Section 234.6.

(B) The name of the Title IX coordinator and how to contact the coordinator.

(C) The person, employee, agency position, or unit that is responsible for receiving Uniform Complaint Procedures complaints and how to contact the responsible entity.

(D) The Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), and Title IX regulations (34 C.F.R. Part 106).

(E) The authority of the department and the United States Department of Education's Office for Civil Rights to investigate and enforce the Uniform Complaint Procedures and Title IX, respectively.

(F) The definition of sexual harassment pursuant to state and federal law, including any differences and prohibitions regarding that term.

(G) (i) What a pupil should do if they believe another pupil has been subjected to sexual abuse, sexual assault, sexual harassment, or retaliation, including how to make a report and how to file a complaint with the public school's local educational agency's Title IX coordinator or the person, employee, agency position, or unit that is responsible for receiving Uniform Complaint Procedures complaints.

(ii) The positive outcomes associated with reporting incidents, including creating a safer school environment and changing the school culture.

(iii) Any interim and supportive measures available to pupils who report sexual harassment, the protections against retaliation when reporting an incident, and the remedies available to them following a finding of sexual harassment or retaliation.

(H) Information about the range of disciplinary consequences that may be imposed on a pupil for carrying out any of the following acts in order to deter such behavior:

(i) Committing or attempting to commit a sexual assault or committing a sexual battery, as described in subdivision (n) of Section 48900.

(ii) Cyber sexual bullying, as described in clause (iii) of subparagraph (A) of paragraph (2) of subdivision (r) of Section 48900.

(iii) Sexual harassment, as described in Section 48900.2.

(I) Information about the range of disciplinary consequences that may be imposed on a staff member for committing or attempting to commit a sexual assault or committing a sexual battery, cyber sexual bullying, or sexual harassment.

(c) Local educational agencies are encouraged to, in coordination with their Title IX coordinator and the person, employee, agency position, or unit that is responsible for receiving Uniform Complaint Procedures complaints, send a written notice to the school community highlighting the Sexual Harassment Safety ~~Weeks~~ *Week*.

(d) It is the intent of the Legislature that every high school in the state provide an annual training for high school pupils related to sexual harassment prevention.

~~(d)~~

(e) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

~~SEC. 5.~~ **SEC. 4.** Section 51934 of the Education Code is amended to read:

51934. (a) Each school district shall ensure that all pupils in grades 7 to 12, inclusive, receive comprehensive sexual health education and HIV prevention education from instructors trained in the appropriate courses. Each pupil shall receive this

instruction at least once in junior high or middle school and at least once in high school. This instruction shall include all of the following:

- (1) Information on the nature of HIV, as well as other sexually transmitted infections, and their effects on the human body.
 - (2) Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual activities and injection drug use.
 - (3) Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections and abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy. This instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.
 - (4) Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the federal Centers for Disease Control and Prevention.
 - (5) Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing.
 - (6) Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others.
 - (7) Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and the only way to know if one is HIV-positive is to get tested.
 - (8) Information about local resources, how to access local resources, and pupils' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence.
 - (9) Information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to, all of the following:
 - (A) Parenting, adoption, and abortion.
 - (B) Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.
 - (C) The importance of prenatal care.
 - (10) Information about sexual assault, sexual harassment, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following:
 - (A) Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.
 - (B) Information on how social media and mobile device applications are used for human trafficking.
 - (11) Information about adolescent relationship abuse and intimate partner violence, including the early warning signs thereof, and information about the resources available to pupils related to adolescent relationship abuse and intimate partner violence, including the National Domestic Violence Hotline and local domestic violence hotlines that provide confidential support services for pupils that have experienced domestic violence or stalking and are available by telephone 24 hours a day.
- (b) A school district may provide optional instruction, as part of comprehensive sexual health education and HIV prevention education, regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking internet websites, computer networks, or other digital media.
- (c) School districts are encouraged to provide, as part of comprehensive sexual health education and HIV prevention education, instruction that includes all of the following information:
- (1) The Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), and any policy

regarding adult-pupil boundaries, including where to locate the relevant procedures on the local educational agency's internet website.

(2) The authority of the department and the United States Department of Education's Office for Civil Rights to investigate and enforce the Uniform Complaint Procedures and Title IX, respectively.

(3) The definition of sexual harassment and any legal prohibitions regarding that term.

(4) (A) What a pupil should do if they believe another pupil has been subjected to sexual abuse, sexual assault, sexual harassment, or retaliation, including how to make a report and how to file a complaint with the local educational agency's Title IX coordinator or the person, employee, agency position, or unit that is responsible for receiving Uniform Complaint Procedures complaints.

(B) The positive outcomes associated with reporting incidents, including creating a safer school environment and changing the school culture.

(C) Any interim and supportive measures available to pupils who report sexual harassment or retaliation for reporting an incident and the remedies available to them following a finding of sexual harassment or retaliation.

(5) Information about the range of disciplinary consequences that may be imposed on a pupil for carrying out any of the following acts in order to deter such behavior:

(A) Committing or attempting to commit a sexual assault or committing a sexual battery, as described in subdivision (n) of Section 48900.

(B) Cyber sexual bullying, as described in clause (iii) of subparagraph (A) of paragraph (2) of subdivision (r) of Section 48900.

(C) Sexual harassment, as described in Section 48900.2.

(d) A school district may provide comprehensive sexual health education or HIV prevention education consisting of age-appropriate instruction earlier than grade 7 using instructors trained in the appropriate courses. A school district that elects to offer comprehensive sexual health education or HIV prevention education earlier than grade 7 may provide age appropriate and medically accurate information on any of the general topics contained in paragraphs (1) to (11), inclusive, of subdivision (a).

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