

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 1730 (Fong) – As Amended March 19, 2026

[Note: This bill is double referred to the Assembly Judiciary Committee, where the Committee will hear it as it relates to issues under its jurisdiction.]

SUBJECT: Community colleges: external resolution services for civil rights compliance: managing entity and Title IX coordinator

SUMMARY: Permits the Board of Governors of the California Community Colleges to enter into a contract with a managing entity for the express purpose of providing civil rights compliance services to every California Community College district and establishes the role of a Title IX coordinator at each community college district. Specifically, **this bill:**

- 1) Defines the following:
 - a) “Board of Governors” (BOG) as the systemwide board overseeing the California Community Colleges;
 - b) “California Community Colleges” (CCC) as a postsecondary education system in California consisting of two-year degree authorizing colleges who are regionally organized into community college districts;
 - c) “Chancellor” as the Chancellor of the CCC;
 - d) “Chancellor’s Office” as the office of the Chancellor of the CCC;
 - e) “Governing board” as the locally elected board of trustees who oversee the operations of a community college district;
 - f) “Managing entity” as the entity established pursuant to the measure who is contracted to provide services as specified for the CCC; and,
 - g) “Sexual harassment” has the same meaning as is defined in the Higher Education Sex Equity Act.
- 2) Authorizes the BOG to enter into a three-year contract with a managing entity to provide civil rights compliance services for the CCC system. The three-year contract will not be subject to the competitive bidding process required by law; but, will comply with the requirements as listed below.
- 3) Requires the contracted managing entity to do the following:
 - a) Develop and recommend a nondiscrimination policy for the CCC (CCC nondiscrimination policy). The CCC nondiscrimination policy will:
 - i) Comply with federal and state nondiscrimination laws; including, but not limited to Title IX, Title VI, Title VII, Section 504 of the federal Rehabilitation Act, the

California Fair Employment and Housing Act, and California Education Code Sections 66281.4, 66281.5, 66281.8, 67385.7, and 67386;

- ii) Updated annually to reflect any changes in federal and state nondiscrimination laws;
 - iii) Include nationally recognized best practices to address and prevent discrimination on community college campuses;
 - iv) Provide streamlined procedures to ensure allegations of discrimination are handled in a trauma-informed and timely manner; and,
 - v) Provide annual prevention plans and programming for CCC campuses;
- b) Provide full-service complaint processing services for all Title IX and sexual harassment complaints filed by students and employees. The complaint processing services provided by the managing entity will include: intake, supportive measures, investigations, live hearings, formal and informal resolutions, and appeals of Title IX complaints;
 - c) Address all other forms of discrimination complaints filed with a CCC campus not pertaining to sexual harassment and Title IX;
 - d) Provide community colleges with trauma-informed advocates, advisors, process facilitators, decision makers for all discrimination complaints filed;
 - e) Maintain a roster of external investigators and hearing officers. The investigators and hearing officers will be trained in the CCC nondiscrimination laws and regulation, will maintain impartiality, and will comply with the requirements of the CCC nondiscrimination policy, for the processing of discrimination complaints;
 - f) Coordinate with the community college district's Title IX coordinator (Title IX coordinator) to implement disciplinary sanctions for respondents who have violated the CCC nondiscrimination policy;
 - g) Offer complainants and respondents referral to advocacy and support services;
 - h) Develop and implement training for Title IX coordinators. The curriculum of the training will:
 - i) Include training on the CCC nondiscrimination policy;
 - ii) Be delivered to Title IX coordinators with re-certification cycles that are mandated;
 - iii) Incorporate modules on trauma-informed practices, cultural competency, due process, and California-specific legal requirements;
 - iv) Be delivered through multiple modalities including online and in-person trainings;
 - v) Be updated annually to reflect any changes in federal or state laws or in best practices to address patterns of occurrences of discrimination on campus;

- i) Assist the Chancellor's Office in developing a prevention training program for students and employees. The training program will:
 - i) Include modules on bystander intervention, policy awareness, and primary prevention;
 - ii) Incorporate an understanding of intersectionality that considers how students and employees with different characteristics, including, but not limited to, different races, national origins, gender identities, socioeconomic classes, sexual orientations, and abilities, interact with each other;
 - iii) Include feedback loops to determine whether the training is having the intended effect;
 - iv) Be updated annually to respond to patterns of allegations of discrimination on campuses;
 - v) Provide options for the training to be completed in-person and online; and,
 - vi) Comply with Section 67385.7 (training requirements in Education Code pertaining to sexual harassment prevention);
- j) Provide a range of disciplinary sanctions for students and employees who are found to have violated the CCC nondiscrimination policy;
- k) Establish and maintain a case management system for discrimination complaints. The case management system will include the following:
 - 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 their 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 discrimination and their affiliation with the campus;
 - v) The name of the respondent and their affiliation with the campus;
 - vi) Any campus community context, including, but not limited to, the athletic team, student organization, department, or office where the alleged incident or incidents occurred;
 - vii) A copy of the notice of allegations provided to the parties. If the complaint was dismissed, a copy of the written notice of dismissal shall be provided to the parties with the reason for the dismissal;
 - viii) Whether an investigation was opened, or, if applicable, the 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 in response to the complaint;
 - x) All supportive measures offered and implemented in response to the complaint;
 - 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 sanctions; and,
 - xiv) The remedies recommended and if those recommendations were implemented to deter and prevent the reoccurrence of discrimination incidents;
- l) Provide an annual report on the services provided by the managing entity as described above. The report provided by the managing entity will be submitted to the Legislature as part of an annual report on sexual harassment prevention actions taken by the CCC each year;
 - m) Develop a dashboard that allows each CCC to have information about the status of each discrimination complaint filed with the managing entity;
 - n) Integrate federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (and federal Campus Sexual Violence Elimination Act (20 U.S.C. Sec. requirements on CCC campuses; and,
 - o) Liaise with CCC to maintain local control requirements. All outcomes issued by the managing entity will be subject to approval by either the Title IX coordinator or the governing board as required by state law.
- 4) Requires the BOG to approve the annually updated CCC nondiscrimination policy as developed and recommended by the managing entity.
- 5) To accomplish the services as described in (3), the managing entity is required to do the following:
- a) Employ staff with the abilities and training to provide the services as described in (3) to each CCC within a reasonable timeframe, as defined;
 - b) Maintain a list of external investigators, hearing officers, and decisionmakers to assist in the services described in (3). The managing entity is responsible for training the external investigators, hearing officers, and decisionmakers and the quality assurance of their work product;
 - c) Enter into contracts with law firms or consultants to assist in the services described in (3). The managing entity is responsible for training the law firms/consultants and the quality assurance of their work product;

- d) Provide an up-to-date network of advocacy organizations for complainant and respondent referrals for support services within each county of the state; and,
- e) Report to the BOG, every six months beginning in January, on the following:
 - i) Services provided pursuant to (3) the community colleges;
 - ii) The number of contracts entered into by the managing entity with law firms or consultants;
 - iii) The total cost of services by the managing entity to community colleges; and,
 - iv) In January, the report will include a request for additional funding if there are additional costs to maintain services through the end of the fiscal year (June of the given year). The report will be included in the budgetary requests for the Community College.
- 6) Limits the selection of the managing entity by the BOG, to qualified candidates. A qualified candidate is an entity that has all the following:
 - a) Existing capacity to perform the services for CCC as described in (3) in alignment with industry standards and in a trauma-informed manner;
 - b) A record of managing 500 college-based federal Title IX or sexual harassment complaints annually, with the ability to scale to more than 1,000 complaints annually;
 - c) Experience with civil rights investigations and resolutions for all of the applicable state and federal nondiscrimination laws;
 - d) Ability to employ staff with prior experience as Title IX coordinators, deputy coordinators, and investigators;
 - e) Ability to provide in-person advisors for complainants and respondents;
 - f) Ability to offer complainant advocacy and respondent support services;
 - g) Capacity to manage conflict of interest and to avoid overlapping roles that might create conflicts;
 - h) Ability to complete high volume of resolutions in alignment with institutional timelines;
 - i) Ability to coordinate with more than 100 potential clients simultaneously;
 - j) Ability to keep Title IX coordinators apprised of the progress of discrimination complaints;
 - k) Ability to preserve local control, shared governance; and the local culture/moral imperative for each individual client; and,
 - l) Expertise in managing contract vendors and their work product to maintain timely completion.

- 7) Stipulates a contract entered into by the BOG with a managing entity will contain the following:
 - a) An agreement by the managing entity to fulfill the services listed in (3) and the requirements listed in (5); and,
 - b) A biannual fee structure for the payment of services rendered by the managing entity.
- 8) Authorizes the managing entity to immediately provide services to the CCC upon entering into a contract with the BOG.
- 9) Establishes the External Resolution Services Fund (ERSF) for the continual apportionment of funds to the Chancellor's Office to pay for the services of the managing entity.
- 10) States it is the intent of the Legislature to provide \$100 million annually to fund the services rendered by the managing entity.
- 11) Requires each community college district to send monies to the ERSF, by September 1, 2027 and each subsequent year by that date, equal to the amount of the "community college district's proportional share (CCDs share)" for services provided by the managing entity during the previous fiscal year. In determining the CCDs share the "total cost of the contract" is defined as the cost of the services for the previous fiscal year minus the amount monies provided by the State to the ERSF on July 30 of the subsequent fiscal year.
- 12) Determines the CCDs share to be based on the following formulas as follows:
 - a) If a community college district enrolls more than 60,000 full-time students, the CCDs share will be 7% of the total cost of the contract for services;
 - b) If a community college district enrolls between 25,001 and 60,000 full-time students, the CCDs share will be 5% of the total cost of the contract for services;
 - c) If a community college district enrolls between 10,001 and 25,000 full-time students, the CCDs share will be 2% of the total cost of the contract for services;
 - d) If a community college district enrolls between 1,001 and 10,000 full-time students, the CCDs share will be 1% of the total cost of the contract for services; and,
 - e) If a community college district enrolls between 151 and 1,000 full-time students, the CCDs share will be .09% of the total cost of the contract for services.
- 13) Authorizes the State to withhold the same amount in apportionment funds as the CCD share owed to the ERSF pursuant to (12) by the community college district, if the district has not annually contributed their CCD share to the ERSF by September 1 of each year.
- 14) Requires a local governing board to adopt the nondiscrimination policy within 30 days of the receipt of an approved CCC nondiscrimination policy from the managing entity as approved by the BOG. Stipulates any local governing board who does not adopt the policy within 30 days will be subject to a \$1,000 fine per day past the 30 day deadline. The fine will be withheld from the community college district's state apportionment in the fiscal year the fine occurred and will be transmitted to the ERSF.

15) Requires a community college district to designate a staff person as a Title IX coordinator by July 1, 2027, a community college district. The Title IX coordinator's duties will only be those assigned to address civil rights compliance. As part of their assigned duties, the Title IX coordinator will:

- a) Submit to the managing entity all discrimination complaints for review, investigation, and resolution;
- b) Implement the outcome provided by the managing entity for all discrimination complaints;
- c) Maintain a record system of complaints filed with the managing entity. The record for a complaint in which the respondent is a student will be maintained for seven years. The record for a complaint in which the respondent is an employee will be maintained for seven years after the employee is no longer employed by the community college district. The record as maintained will include the following data elements:
 - 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 discrimination and the person's 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, campus department, or campus office where the alleged incident or incidents occurred;
 - vii) A copy of the notice of the allegation or allegations provided to the parties. If the complaint was dismissed, a copy of the written notice of dismissal shall be provided to the parties with the reason for the dismissal;
 - viii) Whether an investigation of the complaint was opened and, if applicable, the reason an investigation of the complaint was declined;
 - ix) The name of the person assigned to investigate the complaint and the name of the person assigned to implement any supportive measures in response to the complaint;
 - x) All supportive measures offered and implemented in response to the complaint;
 - xi) The names of all witnesses 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 the respondent;

- xiii) The outcome of the complaint, including, if applicable, the rulings from a hearing on the complaint and any disciplinary sanctions; and,
 - xiv) The recommended remedies and if those remedies were implemented to deter and prevent the recurrence of discrimination incidents;
- d) Develop and implement a comprehensive prevention and outreach program on sexual harassment that does the following:
- i) Addresses a range of strategies to prevent sexual harassment, including a victim empowerment program, a public awareness campaign, and primary prevention, bystander intervention, and risk reduction; and,
 - ii) Provides students and employees with information on the procedures for reporting incidents of sexual harassment, and the name, office location, and contact information of the Title IX coordinator. The information will be provided by email at the beginning of each academic term and during campus orientations; and,
- e) Implement the student and faculty nondiscrimination trainings provided by the managing entity.
- 16) Requires that the Title IX coordinator to have training and expertise to coordinate and implement the CCD nondiscrimination policy.
- 17) Requires that the Title IX coordinator will work with the managing entity to provide nondiscrimination services to the community college district.
- 18) Requires the Title IX coordinator to do the following:
- a) Meet with the chief executive officer of the community college district every three months to provide an evaluation of services being provided to prevent and address discrimination; and,
 - b) Meet with a liaison of the managing entity each month to discuss activities conducted by the managing entity for preventing and addressing discrimination.
- 19) Requires the Title IX coordinator and the chief executive officer of the community college district to assess whether additional staffing or resources are needed to implement the Title IX coordinator's duties. If it is determined, additional staff or resources are needed, the community college district will make a written request for the additional resources to be included in the annual CCC budget request that is provided to the Legislature.
- 20) Permits the Chancellor's Office to conduct an appeal process of an outcome of a discrimination complaint. The appeal process will be as follows:
- a) A complainant or respondent has 10 working days of the notice of the dismissal or outcome of the complaint to appeal;
 - b) The managing entity will collaborate with the Chancellor's Office to provide all the necessary documentation in the evaluation of the appeal. The documentation shall

include: the original complaint, the investigative report, the administrative decision, and the appeal; and,

- c) Upon reviewing the documentation, the Chancellor's Office will issue a final decision.
- 21) Permits the Chancellor's Office to vacate or reverse the dismissal of a complaint, if the following occurred:
- a) Procedural errors occurred resulting in the dismissal of the complaint;
 - b) New evidence was presented at the time of the appeal that was not available at the time when the complaint was dismissed; and,
 - c) The decision to dismiss the complaint was unreasonable or arbitrary.
- 22) Requires if a finding is made by the Chancellor's Office that the complaint should have been adjudicated and not dismissed, the managing entity will adjudicate the complaint in accordance with the CCC nondiscrimination policy.
- 23) Permits the Chancellor's Office to vacate or reverse a decision on a complaint after an investigation or a hearing, if the following occurred:
- a) There was no reasonable basis for the findings or conclusions that resulted in the outcome of the investigation;
 - b) New evidence was present at the time of the appeal that was not available at the time of the investigation and would likely have resulted in a different outcome; and,
 - c) Procedural errors occurred that would have likely changed the outcome of the investigation.
- 24) Requires if the Chancellor's Office determines there was no reasonable basis for the findings or conclusions that resulted in the outcome of the investigation, the Chancellor's Office may reverse the outcome of the investigation or hearing. The managing entity will notify the Title IX Coordinator, the respondent, and the Complainant of the new outcome as determined by the Chancellor's Office. The outcome as determined by the Chancellor's Office is final and is not subject to additional appeals.
- 25) Requires if the Chancellor's Office determines that either a procedural error occurred or new evidence was presented, an investigation into the complaint will be re-opened by the managing entity to address the new evidence or to rectify the procedural errors.
- 26) States if the Commission on State Mandates determines there is a cost associated with the implementation of the measure, the State will reimburse local agencies and school districts for the determined cost.

EXISTING LAW: *Federal law.*

- 1) No person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance except for specified circumstances including

membership of fraternities and sororities (United States Code Title 20, Chapter 38, Section 1681... colloquially known as Title IX).

- 2) Outlines the required response pursuant to Title IX, of a postsecondary higher education institution when the institution is made aware of an alleged sexual harassment incident on campus. The regulations include a requirement for a formal complaint, a grievance procedure for an investigation into whether the incident based on a standard of evidence occurred, and a method of appealing the outcome of the grievance process (Federal Code of Regulations Title 34, Subtitle B, Chapter 1, Subpart D, Section 106.45).
- 3) Defines sexual harassment as conduct on the basis of sex that satisfies at least one of the following:
 - a) An employee of the postsecondary education institution conditions aid, benefit, or services to a recipient on the individual's participation in unwelcome sexual conduct;
 - b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; and,
 - c) Sexual assault, dating violence, domestic violence, and stalking, as defined in the United States Code (Federal Code of Regulations, Title 34, Subpart D, Section 106.30).

State law.

- 1) Establishes the CCC under the administration of the BOG of the CCC, as one of the segments of public postsecondary education in California. The CCC shall be comprised of community college districts (Education Code (EDC) Section 70900).
- 2) Establishes that CCC districts are under the control of a board of trustees, known as the governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs (EDC Section 70902).
- 3) Permits state funding to be dispersed to the CCC annually in the Budget Act approved by the State Legislature and the Governor. The funding will be allocated to CCC districts and subsequently campuses through an array of complex funding formulas, as defined, including a formula that provides funding per full-time equivalent student (EDC Section 84750.4).
- 1) Establishes the policy for the State of California that all persons should enjoy their postsecondary education free from discrimination regardless of their sex. Requires each postsecondary education institution in the state to provide a written policy on sexual harassment (policy), including information on the complaint process, on the institutions website. The policy is to include information on the specific rules and procedures for reporting charges of sexual harassment and the available remedies and resources available to survivors both on and off campus. A copy of the policies shall be:
 - a) Displayed in a prominent location, as defined, in the main administrative building or in another area on the campus or school site;

- b) Provided to students during any orientation program for new students at the beginning of each quarter, semester, or summer session;
 - c) Provided to each faculty member, administrative staff, and all member of the support staff at the beginning of each school year or at the time the employee is hired;
 - d) Included in any publication of the institution that includes the comprehensive rules, regulations, procedure, and standards of conduct for the institution (EDC Section 66281.5).
- 2) Requires the governing board or body of each postsecondary institution in the state, as a condition of receiving state funding, to comply with an array of conditions pertaining to protecting students from sexual harassment protections and to provide students with procedural protections relating to claims of sexual harassment (EDC Section 66281.8).
- 3) Defines sexual harassment and sexual violence as the following:
- a) “Sexual harassment” as sexual battery, sexual violence, sexual exploitation, and unwelcomed sexual advances request for sexual favors and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting in which specific conditions are met. Clarifies sexual harassment of students is a form of sex discrimination prohibited by the Equity in Higher Education Act; and,
 - b) “Sexual violence” as a physical sexual act perpetrated against a person without the affirmed consent of the survivor, as defined. Physical sexual acts include rape, sexual batter, sexual exploitation, prostituting another person, trafficking another person, recording images of the person during the act without consent, distributions of said images without consent, or viewing a person’s intimate moments in which privacy is expected without consent, as defined (EDC Section 66262.5).

FISCAL EFFECT: Unknown, *Committee staff note the author has a budget request for \$100 million to address the provisions of the measure regarding the services rendered by the managing entity.*

COMMENTS: *Author’s statement.* As expressed by the author, “a report published by the Chancellor’s Office of the California Community Colleges in 2025, revealed a “host of systemic challenges that compromise compliance, undermine prevention efforts, and limit the effectiveness of institutional responses to sex-based discrimination.” The report provided a host of recommendations for the California State Legislature to provide structural changes to ensure community colleges are offering a supportive and compliance Title IX system for students, faculty, and staff. AB 1730 is a culmination of the recommendations of the statutory required report, authorized by AB 2048 (M. Fong), Chapter 694, Statutes of 2024. The provisions contained in the measure reflection of nearly four years of work conducted by the Assembly Higher Education Committee and the community colleges.”

The author further contends, “California community colleges require additional support to maintain their responsibilities to properly prevent, respond, and resolve complaints of sexual harassment, sexual exploitation, and sexual violence. To provide an appropriate level of support, the Gender Equity Workgroup has recommended the creation of an external resolution authority to 1) assist in the resolution of sexual harassment complaints and 2) to ensure consistent

compliance with state and federal nondiscrimination laws by all 116 community colleges. By providing an avenue for alignment in practices and consistency in resolutions, the community colleges can re-establish trust with the community to fulfill the promise of educational equity for all students.”

Assembly Higher Education Committee – A Call to Action 2024 report. In 2024 the Assembly Higher Education Committee published a synopsis of the information gleaned from briefings with the CCC, CSU, and UC on how the systems were addressing their federal and state responsibilities to identify and resolve incidents of sex discrimination. Additionally, the report provided policy recommendations for how the State could partner with public higher education institutions to provide robust prevention education, responsive action to complaints, and resolution for discriminatory incidents that restore equity and access for all students. The report included the following key findings:

- 1) California does not have regulatory body to provide an additional layer of transparency and protection for students, faculty, and staff who may wish to provide evidence of continual sexual harassment and discrimination on campus (pg. 4);
- 2) California has no mechanism in place to enforce the sexual harassment laws adopted by the Legislature for postsecondary education institutions. Past Legislatures have relied on the courts to hold postsecondary education institutions accountable to the letter of the law; which, have often resulted in monetary settlements and no true change on campus (pg. 5);
- 3) The CCC’s do not have a systemwide nondiscrimination policy, each of the 73 community college districts adopt their own policy and are tasked with updating the policy to ensure compliance with state and federal laws (pg. 7);
- 4) The CCC Title IX coordinators are not at the campus-level, but at the district level; and very few community college districts have standalone Title IX offices with designated staff;
- 5) The CCC’s have additional appeals for faculty and employees beyond the traditional appeal process for sexual harassment complaints, resulting in extended timelines before disciplinary sanctions can be levied (pg. 11); and,
- 6) Each CCC is required to certify compliance with the Chancellor’s Office; however, very few districts are in compliance with state and federal law (pg 7).¹

The report made 12 Statewide recommendations, two systemwide recommendations, and four campus-based recommendations. The report resulted in the “A Call to Action” bill package that was introduced in 2024. The bill package consisted of 12 bills, 11 of which were signed into law by the Governor. The 2024 bill package addressed 12 of the 18 recommendations in the report.²

AB 2048 (M. Fong), Chapter 694, Statutes of 2024. The “A Call to Action” bill package originally contained language that required the CCC to establish a systemwide Office of Civil Rights and compelled each community college district to establish Title IX offices. Negotiations with community college stakeholders and the Chancellor’s Office demonstrated the system

¹ <https://ahed.assembly.ca.gov/media/3122>

² <https://ahed.assembly.ca.gov/media/3260>

needed more additional time and resources to comply with the recommendations in the “A Call to Action” report. To alleviate concerns and to provide more time for the system to formulate a plan to address the findings of the “A Call to Action” report, the Chair of the Higher Education Committee, the BOG, and the Chancellor’s Office of the CCC agreed to propose a workgroup, comprised of faculty, staff, and students, to address the following:

- 1) Baseline standards for policies and procedures that detect, address, and prevent the reoccurrence of sexual harassment;
- 2) Methods for monitoring the effectiveness of the policies and procedures described above and methods for monitoring the compliance of each community college campus with state and federal laws and regulations pertaining to sexual harassment;
- 3) Protocols for system and campus reporting on sexual harassment complaints that provide transparency on the number and outcomes of sexual harassment complaints to the public;
- 4) The recruitment, hiring, and training of campus-based, district-based, and systemwide staff to adequately prevent, detect, and address sexual harassment on community college campuses; and,
- 5) Support and resources at the state level that will enhance campus efforts to reform campus practices to prevent, detect, and address sexual harassment on community college campuses.

AB 2048 (M. Fong) was amended to codify the workgroup and to require a report with the results from the workgroup by December 2025.

Committee staff from the Assembly Higher Education Committee participated in the workgroup and provided technical expertise for the recommendations and the final report.

California Community Colleges Board of Governor’s Gender Equity Report 2025. In compliance with the statutory requirements of AB 2048 (M. Fong), the Chancellor’s Office of the CCC convened a 26 – member stakeholder group that meet over the course of 14 months to discuss how to best address support community colleges in their efforts to respond, resolve, and prevent incidents of sexual harassment on community college campuses. The workgroup tasked TNG Consulting³ to conducted the following: a benchmarking survey of the system’s compliance with existing state/federal nondiscrimination laws; a policy review of existing community college district policies on sexual harassment; and, individual meetings with Title IX coordinators and stakeholders on campus. These results informed the recommendations and were included in the final “Gender Equity Report” published by the Chancellor’s Office in December 2025.⁴

The findings from the “Gender Equity Report” were as follows:

- 1) Faculty and staff members often report uncertainty about policies and procedures preventing sexual harassment and student expressed uncertainty about how to file a complaint; (pg.6);
- 2) The existing community college policies had many gaps and were not fulfilling the requirements under California and federal law (pg 5);

³ <https://www.tngconsulting.com/>

⁴ <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/2025-Gender-Equity-Report.pdf>

- 3) Many of the colleges assessed were doing an excellent job of providing supportive measures to students, faculty, and staff who file complaints (pg. 6); and,
- 4) The majority of Title IX Coordinators are tasked with more than simply addressing Title IX. Many are expected to balance the role of the coordinator with subsequent duties involving student conduct, HR, disability services, or general compliance. Some are entire “offices of one” that are tasked with oversight, investigation, training, policy development, prevention, and compliance monitoring without any additional staff (pg. 2).⁵

The status of the CCC responsibilities to address Title IX and sexual harassment is synthesized within report as:

“Overall, the current Title IX infrastructure in the California Community College system is fragmented, under-resourced, and highly inconsistent. Decentralized governance, outdated policies, insufficient staffing, and unclear oversight structures have left campuses ill-equipped to manage Title IX obligations effectively. Students, staff, and faculty experience disparate levels of support and protection depending on their district or college, undermining equity and compliance statewide, which has created barriers to seeking support. (pg.7)”⁵

To address the systemic challenges identified in the report, the workgroup urges policymakers to do the following:

- 1) Create systemwide baseline standards for local policies and procedures that ensure compliance, consistency, and accessibility;
- 2) Mandate minimum staffing requirements for Title IX offices; specifically, at a minimum require all colleges to name and fund full-time Title IX Coordinators;
- 3) Create the External Resolution Authority to provide shared investigation, hearing, and compliance support to all California Community Colleges, with annual appropriations to perpetuate this authority as a permanent solution;
- 4) Create a systemwide Title IX Office within the Chancellor’s Office, to provide resources and training, to help colleges ensure compliance and accountability. The systemwide Title IX Office would also monitor the External Resolution Authority for compliance assurance;
- 5) Streamline, align, and collect state laws to remove conflicting mandates and clarify obligations; and,
- 6) Invest in prevention training infrastructure to provide consistent training across the whole system (pg. 4).⁵

AB 1730 (M. Fong) seeks to implement recommendations (1), (2), (3), and (4) from the “Gender Equity Report.”

Committee comments. Since 2024, two reports have been completed verifying what has long been an anecdotal concern of faculty and staff at the CCC, that the CCC system is not equipped to properly and consistently address complaints of sexual harassment. However, the “fault” for

⁵ <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/2025-Gender-Equity-Report.pdf>

the inadequate structure and the overlap in policies does not lie with the Chancellor's Office of the CCC, the BOG, the governing boards of the community college district, nor the dedicated, overburdened Title IX Coordinators. Rather, the "fault", if any, lies in the organization and governance structure of the community colleges.

Unlike the CSU and the UC, where each campus complies with the systemwide policy produced by the systemwide office, the CCC do have this centralized authority. Instead, the CCC is structured with local authority and a systemwide office that provides guidance and technical assistance. The community colleges are 73 independent entities who occasionally work together towards a common goal. AB 1730 (M. Fong) offers an opportunity for the system to function as one unit to address all forms of discrimination on college campuses regardless of where the college is located. Under the infrastructure envisioned by AB 1730 (M. Fong), a student in the Los Angeles Community College District would have their complaint handled in compliance with state and federal laws and with the same trauma-informed care as a student from Shasta Community College District.

Continuity of grievance procedures in compliance with state and federal law is imperative as in 2024 a community college in California entered into a resolution with the U.S. Department of Education Office for Civil Rights (OCR) for allegedly violating Title IX. A student alleged Ventura Community College violated his rights during the grievance procedures for a complaint where the student was a respondent. The OCR determined Ventura Community College had discriminated against him due to procedural errors committed by the college during the processing of the complaint. Specifically, the OCR found "the college's discipline of the student violated the Title IX regulations" even though the student was found to have engaged in sexual harassment.⁶ Consistency in compliance is formative in establishing trust with a campus community. AB 1730 (M. Fong) would address the concerns listed in the OCR agreement with Ventura Community College by providing:

- 1) Clear procedures for how to handle sexual harassment complaints;
- 2) A clear hierarchy of who is to handle and implement disciplinary outcomes of complaints; and,
- 3) Would provide adequate staffing for all community colleges to address all complaints in a timely manner.

AB 1730 (M. Fong) was drafted to comply with the "Gender Equity Report" proposal for an External Resolution Authority as outlined on pages 34 – 37 of the report. This proposal for an external resolution authority was agreed upon plan of action to address assist the CCCs in complying with their legal obligation to address, resolve, and prevent acts of sexual harassment on campus. The report does not include a funding formula for how the community college districts will fund the managing entity or in the case of the report, the External Resolution Authority. Throughout the "Gender Equity Report" one of the fundamental barriers to CCC complying with state and federal laws is the lack of adequate and consistent funding. Concerns have been raised regarding the funding formula outlined on page 6, (9) – (14) in the summary section of this analysis. As mentioned throughout the "Gender Equity Report" the CCC does not have the funds, nor the staffing resources to complete this work. Without adequate, annual,

⁶ <https://ocrcas.ed.gov/sites/default/files/ocr-letters-and-agreements/09222222-a.pdf>

ongoing funding from the State Legislature none of the proposals of this measure nor any of the proposal of the “Gender Equity Report” are a reality. Unlike the CSU and UC which have consistent stream of funding from tuition and endowments, community colleges do not have a substantial secondary funding source beyond what is provided by the State Legislature. To address these funding concerns, the author has submitted a budget request for \$100 million from the State Legislature to be allocated each year to fund the managing entity as described in this measure. The ongoing funding would be allocated to the Chancellor’s Office to pay for civil rights compliance services as outlined by the measure.

The issue regarding adequate staff, is an issue that plagues both the UC and CSU. Often these three systems pilfer talented Title IX staff from each other. For example, the previous CSU systemwide Title IX Coordinator now works for a community college district. The majority of Title IX Coordinators are legal experts with legal degrees who often treat grievance procedures like a court investigation. Furthermore, the expertise associated with a law degree, often leads to these individuals moving on to more lucrative and less taxing job opportunities.

The Committee may wish to examine whether the talent pool for Title IX Coordinators is lacking due to the “expertise” required by the institutions. Perhaps these roles could be fulfilled by a person with a master’s degree in a trauma-informed field such as a post-baccalaureate degree in Civil Rights Compliance.

The concept of establishing an outside entity to address discrimination complaints is a concept this Legislature has explored in recent years. In the 2025 Legislative session, AB 715 (Zbur), Chapter 425, Statutes of 2025, was enacted and established an Office for Civil Rights in the Government Operations Agency. The expressed purpose of the Office for Civil Rights was to work directly with K-12 local education agencies to prevent and address discrimination and bias. The decision to house the Office for Civil Rights in the Government Operations Agency was a unique decision as it is outside the jurisdiction of the California Department of Education. This Office for Civil Rights could be seen as an alternative to the managing entity proposed by AB 1730 (M. Fong). K-12 local education agencies operate with the same local control as community college districts and ideally have an Office for Civil Rights outside the scope of the California Department of Justice, California Civil Rights Department, or the California Department of Education means it could be expanded to oversee nondiscrimination compliance of all public education in the State – both K-12 and higher education institutions.

Since the Office for Civil Rights has yet to become fully operational, Committee staff do not recommend amending AB 1730 (M. Fong) to incorporate the community colleges into the Office of Civil Rights; however, it is an operational system that could be utilized in the future if the Office of Civil Rights completes its current mission and operational scope for K-12.

In this Committee’s report on sexual harassment a recognition was made that “best practices from multiple states would suggest the creation of a statewide office to provide guidance and to monitor the compliance of postsecondary education institutions with sex discrimination laws.” In the absences of a statewide agency overseeing public postsecondary education institutions in the state, the next best alternative would be to allow the lead entity of each system to provide guidance and monitor compliance. Without the centralized authority of its public higher education counterparts, the Chancellor’s Office can only produce guidance. AB 1730 (M. Fong) provides a pathway for direct systemwide compliance in the form of a systemwide contract with a managing entity.

Concerns have been raised with the concept of contracting with a single entity to handle the complaint of volume of 73 different clients could lead to a delay in the outcomes of the complaints. Committee staff note there exists nationwide management firms who already address all the Title IX and sexual harassment complaints of other community college systems in other states.

AB 1730 (M. Fong) provides a reasonable solution to address the concerns illustrated in the “A Call to Action” report and the “Gender Equity Report.” Both reports provided recommendations for a systemwide entity to be established to address discrimination complaints at the CCC. AB 1730 (M. Fong) seeks to provide the systematic reforms requested by the AB 2048 (M. Fong) workgroup by adopting multiple recommendations to provide structural reforms that will establish the CCC as a “national model for collaboration, consistency, and efficacy of Title IX.”⁷

To address concerns raised by stakeholders, the author has accepted amendments that will be processed by the Assembly Judiciary Committee. The amendments are as follows:

- 1) Amends the findings and declarations to read as follows:

(C) The system lacked the finances to adequately address complaints by students and staff which has greatly contributed to the breakdown in student’s and employee’s trust in the system’s ability to ~~handle~~ address complaints of discrimination.

- 2) Amends Section 70921 to include a definition of a civil rights complaint:

(h) A “civil rights complaint” is any complaint made to a college of a potential violation of Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.), California Code of Regulations Title 5, Division 6, chapter 10, subchapter 5, Federal Title VI, Federal Title VII, Federal Title VIII (Fair Housing Act), ADA/504, the Violence Against Women Act § 304 (VAWA), the California Fair Employment and Housing Act (FEHA), or California Education Code Sections 66281.4, 66281.5, 66281.8, 67385, 67385.7, and 67386.

- 3) Amends Section 70922, subdivision (a) to reflect an implementation date of one year from the data of an appropriation by the Legislature:

(a) Within one calendar year of an appropriation by the Legislature for this express purpose, ~~On or before June 1, 2027, and every three years thereafter,~~ the board of governors shall enter into a three-year contract with a managing entity to administer on behalf of the California Community Colleges external resolution services for civil rights compliance. The three-year contract shall not be subject to the competitive bidding process outlined in Sections 10339 and 10340 of the Public Contract Code. The contract shall comply with the requirements established pursuant to this chapter.

- 4) Amends Section 70922, subdivision (b), paragraph (1), subparagraph (a) to include the Violence Against Women Act as incorporated into the Clery Act to the list of laws that the nondiscrimination policy should include. *Amends to read as follows:*

⁷ <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/2025-Gender-Equity-Report.pdf>

A) The policy shall include federal and state nondiscrimination laws and regulations, including, but not limited to, Subchapter 5 (commencing with Section 59300) of Chapter 10 of Division 6 of Title 5 of the California Code of Regulations, Title IX of the federal Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), Title VI, Title VII, and Title VIII of the federal Civil Rights Act of 1964 (42 U.S.C. Sec. 2000d et seq., 42 U.S.C. Sec. 2000e et seq., and 42 U.S.C. Sec. 3601 et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), *the Violence Against Women Act (VAWA)* § 304, *as incorporated into the Clery Act* and Sections 66281.4, 66281.5, 66281.8, 67385, 67385.7, and 67386.

- 5) Amends Section 70922, subdivision (b), paragraph (2) to read as follows:

(2) *A pool of well-trained individuals available to oversee and conduct, Conducting*, in coordination with the Title IX coordinator for a community college district, full-service grievance procedures for all Title IX and sexual harassment complaints filed, pursuant to Section 66281.8, by students and employees of a community college maintained by the community college district. These procedures shall include intake, supportive measures, investigations, live hearings, formal and informal resolutions, and appeals of Title IX complaints. ~~Appeals shall be handled in collaboration with the chancellor's office pursuant to Section 70927.~~

- 6) Amends Section 70922, subdivision (b), paragraph (4) to include investigators. Amends to read as follows:

(4) Providing access to trauma-informed *investigators*, advocates, advisors, process facilitators, and decisionmakers for the grievance and complaint processes and procedures

- 7) Amends and Adds to Section 70922, subdivision (b), paragraph (7) and (8) to read as follows:

(7) Offering complainants ~~and respondents~~ referrals to advocacy and support services.

(8) *Offer respondents referrals to support services.*

- 8) Amends Section 70922, subdivision (b), paragraph (9) and paragraph 10 to read as follows:

(9) ~~(8)~~ Developing and implementing *an annual* training for the Title IX coordinators for community college districts on the nondiscrimination policy described in paragraph (1) and prevention strategies. The curriculum of the *annual* training shall satisfy all of the following:

(A) Be developed and delivered to each community college district Title IX coordinator with *mandated annual* recertification cycles.

(B) Include modules on trauma-informed practices, cultural competency, due process, and California-specific legal requirements.

(C) Have a flexible modality for both in-person and virtual completion of the training.

(D) Be annually updated to reflect changes in federal and state laws and regulations and in best practices, including, but not limited to, those described in subparagraph (C) of paragraph (1), and to address patterns of occurrences of discrimination incidents on campus.

(10) ~~(9)~~ Assisting the chancellor's office in developing *an annual* campus discrimination prevention training program for students and employees. This training program shall include all of the following:

(A) Required bystander intervention training, policy awareness training, *affirmative consent*, and primary prevention training.

(B) An approach of intersectionality that calls for a pursuit of culturally relevant programs and practices that name and meaningfully consider how students and employees with different characteristics, including, but not limited to, different races, national origins, gender identities, socioeconomic classes, sexual orientations, and abilities, interact with each other.

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

(D) Training that complies with Section 67385.7.

(E) Annual updates to respond to patterns of discrimination occurrences based on complaints processed pursuant to paragraphs (2) and (3).

(F) Modalities offered in-person and online.

9) Amends Section 70922, subdivision (b), paragraph (17), subparagraph (I) to read as follows:

(I) The name of the person assigned to investigate the complaint, and the name of the person assigned to implement any supportive measures in response to the complaint, *and any advisors, if applicable*.

10) Removes language from Section 70922 subdivision (c), paragraph (1) to remove the ability for the Board of Governors to modify the nondiscrimination policy as provided by the managing entity.

(c) (1) The board of governors shall approve ~~and annually update~~ a nondiscrimination policy developed and recommended by the managing entity pursuant to paragraph (1) of subdivision (b).

11) Removes the term external from Section 70922, subdivision (d), paragraph (2). Amends to read as follows:

(2) Maintaining a list of ~~external~~ investigators, hearing officers, and decisionmakers to assist the managing entity in performing the services described in subdivision (b). The managing entity shall be responsible for training and maintaining work product standards that ensure that the quality of work produced by investigators, hearing officers, and decisionmakers matches the quality of work of those directly employed by the managing entity. All work conducted shall be trauma informed and aligned with the nondiscrimination policy created pursuant to subdivision (b).

12) Removes from Section 70922, subdivision (d), paragraph (4). Amends as follows:

~~(4) Maintaining an up-to-date network of advocacy organizations for complainant and respondent referrals for support services within each county of the state.~~

13) Amends Section 70922, subdivision (d), paragraph (5), subparagraph (B) to read as follows:

(B) The January report described in clause (i) shall include an evaluation of the cost of the services provided pursuant to subdivision (b) by the managing entity, and whether any additional costs are required in the *current or* subsequent fiscal year to maintain those services. If ~~financial additional staff or~~ resources are needed, the board of governors shall make a request for the additional staffing or resources, as applicable, in compliance with the policies established for making budgetary ~~requests~~ *changes during the May Revise in the annual budget act.* ~~for the California Community Colleges.~~

14) Amends Section 70922, subdivision (e), paragraph (2), subparagraph (B), (E), (H), and (I) to read as follows:

(B) A record of managing *all procedures related to* 500 college-based federal Title IX or sexual harassment complaints annually, with the capacity to scale to more than 1,000 complaints annually.

(E) The ability to provide in-person *or virtual* advisors for complainants and respondents in the state.

(H) The ability *and a proven track record* to complete a high volume of resolutions in alignment with institutional timelines for prompt resolution.

(I) The ability to coordinate with more than 100 potential clients simultaneously, to keep community college district Title IX coordinators apprised of progress, and to engage in consultation, as necessary, to ensure local control, shared governance, and incorporation of the local culture and ~~mission~~ *moral* imperatives for each individual client.

15) Amends Section 70922, subdivision (f), paragraph (3) to read as follows:

(3) A ~~biannual~~ *twice a year* fee structure for the payment of services rendered by the managing entity. Payment for services rendered by the managing entity shall be provided by the chancellor's office ~~from the External Resolution Services Fund established pursuant to Section 70923~~ *from funds apportioned by the Legislature in the annual budget act.*

16) Amends Section 70922, subdivision (g) to read as follows:

(g) Upon entering into a contract with the board of governors pursuant to subdivision (a), the managing entity shall ~~immediately~~ begin offering the services described in subdivision (b) to community college districts *pursuant to the start date agreed upon in the contract.*

17) Removes Section 70923 and Section 70924 from the bill.

18) Replaces Section 70923 with the following language:

70923. (a) For the 2026-2027, one hundred million is hereby appropriated from the general fund for the purpose of providing funding for the first year of the three-year contract entered into by the Board of Governors with a managing entity to administer on behalf of the California Community Colleges external resolution services for civil rights compliance, pursuant to Section 70922.

(b) Beginning on September 1, 2026 and each September thereafter, the Board of Governors in collaboration with the managing entity shall submit a budget request to fund the contract and services pursuant to Section 70922. The budget request shall be made in compliance with the policies established by the California Community colleges for making budgetary requests.

(e) The budget requested by the California Constitution to be submitted by the Governor each regular session of the legislature shall take into consideration the cost of the three-year contract entered into by the Board of Governors, pursuant to Section 70922 and shall make an annual apportionment to fund the budget request as submitted pursuant to subdivision (b) of this section.

(f) Beginning in 2027 and annually each year thereafter, the Chancellor of the California Community Colleges shall annually present during a public hearing of the Senate Budget Subcommittee on Education and in a public hearing of the Assembly Budget Subcommittee on Education, if necessary, the changes in the fiscal cost of the contract as submitted by the managing entity pursuant to paragraph(B) of subdivision (d) of Section 70922.

19) Amends Section 70925 subdivision (a) and removes subdivision (b) and (c) to read as follows:

(a) To comply with Section 66270, a governing board shall, *within a timeframe as designated by the Board of Governors and the managing entity, within 30 days of receiving from the managing entity a nondiscrimination policy approved by the board of governors pursuant to subdivision (e) of Section 70922,* vote to adopt the nondiscrimination policy approved by the board of governors pursuant to subdivision (c) of Section 70922~~policy.~~

~~(b) A governing board that has not adopted the nondiscrimination policy described in subdivision (a) within the 30-day timeframe shall be subject to a fine imposed by the board of governors of up to one thousand dollars (\$1,000) for each day after those 30 days in which the governing board has not adopted the policy. Notwithstanding any other law, the fine shall be withheld from the apportionments made to the community college district from the State School Fund after April 15 of the fiscal year in which the violation occurred.~~

~~(c) Funds withheld by the board of governors pursuant to subdivision (b) shall be deposited into the External Resolution Services Fund established pursuant to Section 70923.~~

20) For purposes of section 70926 removes the term “Title IX coordinator” and replaces it with “civil rights coordinator.”

21) Amends Section 70926, subdivision (a) to read as follows:

a) Notwithstanding any other law, to ensure compliance with Section 66270, *one academic year after the Legislature appropriates funding for Section 70922, on or before July 1, 2027,*

a community college district shall designate a staff person as a ~~Title IX~~ *civil rights* coordinator. The ~~Title IX~~ *civil rights* coordinator shall not have duties assigned other than those duties outlined in this section.

22) Removes Section 70927 from the measure.

23) Makes technical and conforming changes.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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