

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON JUDICIARY

Ash Kalra, Chair

AB 1928 (Fong) – As Amended April 9, 2026

PROPOSED CONSENT

**SUBJECT:** SEX EQUITY: SEXUAL HARASSMENT COMPLAINTS

**KEY ISSUE:** SHOULD THE SEXUAL HARASSMENT GRIEVANCE PROCEDURE AT A POSTSECONDARY EDUCATIONAL INSTITUTION PERMIT EACH STUDENT PARTY TO HAVE BOTH A SUPPORT PERSON AND AN ADVISOR ACCOMPANY THEM DURING ANY STAGE OF THE PROCESS?

**SYNOPSIS**

*Existing federal law, known as Title IX, prohibits sexual discrimination, which includes sexual harassment, in any educational institution that receives federal funding, and federal law outlines a process for reporting, investigating, hearing, and adjudicating complaints. Existing state law, the Sex Equity in Education Act, states that it is the policy of the state that all persons, regardless of sex, should enjoy freedom from discrimination in postsecondary institutions within the state. State law also requires all postsecondary institutions to adopt, post, and follow a written policy that sets forth the procedures for addressing sexual harassment complaints at all stages of the process, and requires that it contain specified elements, including “trauma-informed investigatory and hearing practices.”*

*This noncontroversial bill amends sexual harassment grievance procedures at postsecondary institutions by allowing the student who filed the complaint, as well as the respondent, to be accompanied by both an “advisor” and a “support person” during any stage of the grievance process. The advisor generally provides legal or technical advice, while the support person provides emotional support. Consistent with the requirement the grievance procedure be carried out in a trauma-informed manner, existing law permits the complainant and respondent to have either an advisor or a support person accompany them at all stages of the process. This bill would allow the complainant or respondent to have both an advisor and a support person present at any stage of the process.*

*The bill is co-sponsored by Survivors Pro Bono and Equal Rights Advocates, and it is supported by the U.C. President’s Office, CSU Chancellor’s Office, the American Association of University Women, the Associated Students of the University of California Sexual Violence, and other women’s and student groups. There is no opposition to this bill. The bill recently passed out of the Assembly Higher Education Committee unanimously.*

**SUMMARY:** Requires the sexual harassment grievance procedure at postsecondary educational institutions that receive state financial assistance to permit the complainant and respondent to be accompanied by both an advisor and a support person during any stage of the grievance resolution process. Specifically, **this bill:**

- 1) Requires a postsecondary institution, as part of its sexual harassment grievance procedure, to afford each study party (complainant and respondent) the opportunity to have both a support

person of their choice and an advisor of their choice accompany them during any stage of the process, including, but not limited to, reporting, investigation, hearing, sanctioning, or any informal resolution.

- 2) Prohibits the support person chosen by the student party from acting in the role of advisor, as specified.
- 3) Specifies that nothing in the bill requires a postsecondary institution to provide a support person for any party to a sexual harassment complaint during the adjudication process.

**EXISTING LAW:**

- 1) Provides under federal law known as Title IX that no person shall, 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. (38 U.S.C. Section 1681.)
- 2) Establishes Title IX regulations that detail the obligations of a postsecondary 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 an incident 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) Pursuant to the Sex Equity in Education Act, requires all postsecondary institutions in the state to establish a Title IX Office, under the direction of a designated Title IX Coordinator, in a private space for students and employees to disclose reports and complaints of sex discrimination, including sexual harassment. Sets forth the duties of the Title IX Office, including, among other things, timely and effective responses to sexual harassment complaints and a process for adjudicating, resolving, and documenting those complaints and their outcomes. (Education Code Section 66250 *et seq.*)
- 4) Requires each postsecondary institution to have a written policy on sexual harassment, including information on the complaint process and timelines, which shall be posted and distributed, as specified. (Education Code Section 66281.5.)
- 5) Sets forth certain requirements that must be a part of the sexual harassment grievance process, including that the process employ trauma-informed investigatory and hearing practices and that it affords the student parties the opportunity to have a support person or advisor accompany them during any stage of the process. (Education Code Section 66218.5 (b).)

**FISCAL EFFECT:** As currently in print this bill is keyed fiscal.

**COMMENTS:** According to the author:

AB 1928 strengthens protections for parties to Title IX proceedings by ensuring that they have equal access to both an advisor who can guide them through the procedural aspects of the process and a support person who can assist them with emotional needs.

The Title IX grievance process is complex and can be traumatizing to victims and respondents. They should not be forced to choose between procedural guidance and emotional support. This is a narrow but important change that supports a trauma-informed approach to the sexual assault grievance process.

Existing federal law, known as Title IX, prohibits sex discrimination, which includes sexual harassment, in any educational institution that receives federal funding, and outlines a process for reporting, investigating, hearing, and adjudicating complaints. Similarly state law, the Sex Equity in Education Act, provides that it is state policy that all persons, regardless of sex, should enjoy freedom from discrimination in the state's postsecondary institutions, which include public institutions and private institutions that receive state financial assistance. State law also requires postsecondary institutions to adopt, post, and follow a written policy that sets forth the procedures addressing sexual harassment complaints at all stages of the process, from initial reporting to resolution.

*This bill* amends the statutorily required sexual harassment grievance procedures at postsecondary institutions by allowing the student who filed the complaint, as well as the respondent, to be accompanied by both an "advisor" and a "support person" during any stage of the grievance process. Consistent with the requirement that the grievance procedure be carried out in a trauma-informed manner, existing law permits the complainant and respondent to have *either* an advisor *or* a support person accompany them at all stages of the process. This bill would allow the complainant or respondent to have *both* an advisor *and* a support person present at any stage of the process.

As noted by the author and supporters, the advisor and the support person perform separate but equally important functions. The advisor helps the student navigate procedural aspects of the grievance process and may even conduct cross-examination for the student party. The support person, on the other hand, provides emotional support for what can be a psychologically traumatic experience. The bill is a sensible, noncontroversial, and nonburdensome change to existing law that will help students – both complainants and respondents – get through a process that can be both procedurally complex and emotionally trying.

**ARGUMENTS IN SUPPORT:** Equal Rights Advocates, one the bill's co-sponsors, write in support:

In recognition of the potentially traumatic impact of participating in the campus grievance processes, current state law requires institutions to resolve sexual misconduct complaints in a trauma-informed manner, including by allowing all student parties to be accompanied by a support person or an advisor. However, in the years since this requirement was established, ERA has seen firsthand that it is not enough. As advocates that have participated in countless campus grievance proceedings, we believe that achieving a truly trauma-informed process is only possible when parties have access to both an advisor and a support person rather than being restricted to one or the other.

AB 1928 will expand necessary support for parties to a campus complaint of sexual misconduct at California institutions of higher education by permitting each party to be accompanied by both a support person and an advisor of their choice at all stages of the grievance process. This protection will apply to all parties, including faculty and staff, rather than only student parties. . . . By ensuring that all parties have access to both procedural and emotional support, AB 1928 will encourage reporting and promote

meaningful participation in the grievance process while minimizing risk of further harm.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Equal Rights Advocates (co-sponsor)  
Access Reproductive Justice  
American Association of University Women - California  
Associated Students of the University of California Sexual Violence Commission  
ASUCD Sexual Assault Awareness and Advocacy Committee  
California State University, Office of the Chancellor  
California Women's Law Center  
Consumer Attorneys of California  
Empowering Women of Color Club At Santa Ana College  
Equal Rights Advocates  
Messaging for Success  
Public Counsel  
Sexual Violence Free Stanford  
Stanford ACLU Chapter  
Stanford Sexual Health Peer Resource Center  
Starting Over, INC.  
Survivors + Allies At UCLA  
The Survivors Pro Bono  
The Women's Foundation California  
University of California Office of the President

**Opposition**

None on file

**Analysis Prepared by:** Tom Clark / JUD. / (916) 319-2334