
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 2392	Hearing Date:	June 24, 2026
Author:	Fong		
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Urgency:	No	Fiscal:	Yes
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Subject: Public postsecondary education: generative artificial intelligence systems: procurement standards: training.

NOTE: This bill has been referred to the Committees on Education and *Privacy, Digital Technologies, and Consumer Protection*. A “do pass” motion should include referral to the Committee on *Privacy, Digital Technologies, and Consumer Protection*.

SUMMARY

This bill requires the California Community Colleges (CCCs) and the California State University (CSU), and requests of the University of California (UC), before providing a generative artificial intelligence (GenAI) system to students, faculty, or staff, to: 1) convene a joint working group to develop standards for responsible GenAI training and procurement, as specified, and 2) provide the specified training to students, faculty, or staff, as applicable.

BACKGROUND

Existing law:

- 1) Establishes the CSU under the administration of the Trustees of the CSU, the UC under the administration of the Regents of the UC, the CCCs under the administration of the Board of Governors (BOG) of the CCCs, and independent institutions of higher education as four segments of postsecondary education in the state. (Education Code (EC) §§ 66010, 70900, 66600, and California Constitution, Article IX, § 9)
- 2) Requires the Superintendent of Public Instruction (SPI) to convene a working group on artificial intelligence (AI), and requires that working group to develop guidance and a model policy on AI for use by local educational agencies (LEAs). (EC § 33328.5)
- 3) Defines “artificial intelligence” or “AI” to mean an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. (Government Code (GOV) § 11549.64)
- 4) Defines “generative artificial intelligence” or “GenAI” to mean an AI system that can generate derived synthetic content, including text, images, video, and audio that

emulates the structure and characteristics of the system's training data. (GOV § 11549.64)

ANALYSIS

This bill:

- 1) Defines the following terms:
 - a) "Artificial intelligence" means the same definition as in the Generative Artificial Intelligence Accountability Act, which is an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
 - b) "Generative artificial intelligence" or "GenAI" means the same definition as in the Generative Artificial Intelligence Accountability Act, which is an AI system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system's training data.
 - c) "Sycophancy" means the tendency of a GenAI system to overly agree with, validate, or flatter a user even when the user is communicating factually inaccurate or illegal ideas or actions for the primary purpose of optimizing engagement.
- 2) Requires the CCCs and the CSU, and requests of the UC, before providing a GenAI system to students, faculty, or staff, do both of the following:
 - a) Convene a joint working group to develop standards for responsible GenAI training and procurement, as specified.
 - b) Provide the specified training to students, faculty, or staff, as applicable, and authorizes the CCCs, the CSU, and the UC to develop distinct versions of this training that are tailored to reflect the distinct uses, responsibilities, and applicable policies that are relevant to students, faculty, and staff, respectively.
- 3) Requires a joint working group to develop standards for responsible GenAI training and procurement, as follows:
 - a) States that the purpose of the working group is to develop responsible training protocols and procurement standards for the purchase, development, and use of GenAI systems for educational purposes that are consistent with current law regarding the regulation, procurement, development, and use of GenAI systems.
 - b) Requires the working group be jointly convened by the California Colleges Chancellor's Office (CCCCO) and the CSU Chancellor's Office (CSUCO), and requests of the UC to join the working group. Requires the working

group include, but not be limited to, privacy experts, representatives from student and faculty advocacy organizations, community-based organizations, and civil society groups, and academic researchers focused on responsible GenAI procurement, design, and implementation.

- c) Requires the working group to do all of the following:
 - i) Develop procurement standards that ensure that any procured GenAI system meets the specified minimum protections.
 - ii) Develop a training on the use of any procured GenAI system, as specified.
 - iii) Present its recommendations, by January 1, 2028, for procurement standards and the specified training to the respective system leaders.
- 4) Requires that the working group develop procurement standards that ensure that any procured GenAI system meets all of the following minimum protections:
 - a) That the system has undergone a documented risk assessment that evaluated potential harms, misuses, abuses, and bias, and has demonstrably effective measures in place to ensure the system does not output harmful content or illegal content, as specified.
 - b) That the system does not prioritize engagement over factual accuracy by using excessive sycophancy.
 - c) That the system's vendor has a safety monitoring protocol that detects a user's intent to harm themselves or others, escalates to human review, and, in cases of imminent threat or grave bodily injury or death, makes appropriate referrals to authorities.
 - d) That the vendor has a transparent incident reporting system to report and respond to harmful outputs.
 - e) That the system is subject to written policies governing data use, retention, sharing with third parties, and deletion timelines.
 - f) That the system is configured to collect only data that is strictly necessary for the stated educational purpose and is subject to regular audits.
 - g) That the system's vendor discloses all training data sources, including whether copyrighted content, personally identifiable information, or student-generated content was used.
 - h) That the vendor does not contract with entities that have unlawfully undermined privacy or civil liberties, as it can be reasonably determined.
 - i) That the vendor does not use exploitative labor practices, as it can be reasonably determined.

- 5) Requires that the working group develop a training on the use of any procured GenAI system to include, but not be limited to, all of the following:
 - a) Relevant policies of the institution concerning the use of a GenAI system, including policies related to academic integrity.
 - b) A disclosure of the privacy policies applicable to a GenAI system, including how user data and prompts may be collected, stored, or used to train the system.
 - c) Guidance on the limitations of a GenAI system, including the potential for inaccurate, incomplete, or misleading outputs.
- 6) Requires the CCCs and the CSU, and requests of the UC, do both of the following:
 - a) Review the specified developed training at least once per academic year and update the training as necessary to reflect changes in institutional policy, applicable law, or the functionality or privacy practices of the GenAI system.
 - b) Provide an updated training be provided to students, faculty, or staff, as applicable, before their continued use of a product that has undergone a material change in functionality or privacy practices.
 - c) Maintain records of completed required trainings for each student, faculty member, and staff member who receives a training, and requires that records include, at minimum, the name of the individual, the date of completion, and the version of the training delivered, and be retained for a minimum of four years following the date of completion.
- 7) Requires the CCCs and the CSU, and requests of the UC, to submit a written report to relevant policy committees of the Legislature with jurisdiction over higher education and privacy and consumer protection before executing a contract for the procurement of a GenAI system during the period beginning on January 1, 2027, and ending upon the adoption of procurement standards, as recommended by the specified working group.
- 8) Requires the report include, but not be limited to, a description of all of the following:
 - a) The GenAI system to be procured, including the vendor name, the intended use, and the population of students, faculty, or staff who will have access to the system.
 - b) The process used in evaluating and selecting the system, including any risk assessments conducted, competing systems considered, and how the procurement decision was made.

- c) The training that will be provided to students, faculty, and staff before the deployment of the system, including the content of the training and the method of delivery.
- d) The data use, retention, and privacy practices of the vendor, including how user data and prompts may be collected, stored, or used to train the system.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 2392 applies lessons learned from the rollout of CSU’s AI-Empowered Initiative by requiring California’s public universities — the CCC, CSU, and UC — to form a joint working group to develop responsible standards for how they buy and deploy generative AI tools, with recommendations due by January 1, 2028. While these standards are being developed, the segments will be required to submit written reports to the Legislature when they enter into new generative AI contracts, describing what they’re buying, why it chose that product, how it plans to train users, and how the vendor handles data. Once the working group delivers its recommended training, institutions must provide that training to all students, faculty, and staff, review and update the training every academic year, and keep records of who completed it. AB 2392 is designed to ensure California’s public higher education systems are thoughtful and transparent as they adopt generative AI tools, and to ensure that these tools are not provided without adequate safeguards or user preparation.”
- 2) ***The CSU system’s contract with OpenAI for ChatGPT Edu, the ensuing response, and the recent contract renewal.*** In February 2025, the CSU system announced a public-private initiative to become the nation’s first and largest “AI-empowered” university system, announcing partnerships with leading technology companies such as Adobe, Google, Amazon Web Services, IBM, Intel, LinkedIn, Microsoft, NVIDIA, and OpenAI. The CSU stated that at the heart of this effort was the AI Workforce Acceleration Board, which is a collaboration with nearly a dozen leading technology companies and Governor Newsom’s Office that will identify and advocate for AI skills needed in the state’s workforce and economy, and the advisory board included CSU representatives working to foster innovation and drive interdisciplinary practical applications of AI.

Notably, the CSU highlighted its work with OpenAI to deploy ChatGPT Edu, which is a version of ChatGPT offering advanced tools, security, and controls for educational institutions, and as part of this initiative, available to all CSU campuses, which included nearly 470,000 students and 63,000 faculty and staff. According to CSU’s chief information officer, Ed Clark, conversations using ChatGPT Edu would stay within the CSU and cannot be used to train OpenAI models. The CSU indicated that some campuses had already provided access to GenAI to their students, and that this was an effort to more equitably provide access to this chat tool, which at the time was already in use at Arizona State University and the University of Pennsylvania’s Wharton School. The contract for ChatGPT Edu was \$16.9 million for use between February 2025 to June 2026.

Several weeks later, the California State Student Association (CSSA) released a white paper critiquing the CSU system’s rollout of the initiative, stating that:

students are unaware that ChatGPT Edu is available to them and unclear about how to use it effectively; the difficulty from the absence of a consistent, transparent classroom policy on AI use; concerns about personal privacy; the environmental impacts due to significant usage of energy and water to train and run AI systems; and student mental health and safety. The CSSA's repeated request was for more student input in the initiative.

In August 2025, the Assembly Committees on Higher Education & Privacy and Consumer Protection jointly held an oversight hearing to examine the CSU's AI initiative. According to the author, "a key finding of this hearing was that students, faculty, and staff did not receive training on ChatGPT Edu prior to the deployment of that tool throughout the CSU system. Another key finding of the hearing was that students, faculty, and staff expressed a lack of clarity around institutional policies concerning AI use, and the privacy of information shared with AI systems." Later in January 2026, faculty delivered a petition to CSU leadership urging cancellation of the contract over concerns that ChatGPT Edu is "not designed, trained, or optimized for education."

In May 2026, the CSU confirmed that the system renewed its contract with OpenAI for an additional 3 years, at a cost of \$13 million per year.

- 3) ***This bill requires that responsible trainings on GenAI are provided for students, faculty, and staff.*** In response to feedback received during the oversight hearing, this bill requires a working group to develop responsible trainings on GenAI for students, faculty, and staff at the segments by January 1, 2028, in an effort to pair access to the technology with education on the benefits and limitations of GenAI. The bill currently requires updated training to be provided to students, faculty, and staff before their continued use of a product has undergone a material change in functionality of privacy practices, but concerns have been raised that substantive changes in the product are often outside the scope of what an institution can control, and that requiring an updated training before further use can create potentially lengthy delays in accessing the technology. Moreover, this bill already requires these trainings to be updated at least once a year.

Committee staff also notes that the bill's training requirement is intended to mean that the institutions provide access to the training, but not necessarily that all students, faculty, and staff are required to complete the training. If the training is not mandated to gain access to the GenAI tools, it may be worthwhile to explore ensuring that the campuses make an effort to inform students, faculty, and staff that a training offered by the system is available and recommended for their benefit.

- 4) ***This bill requires legislative notification of the systemwide execution of a contract until procurement standards are adopted by January 1, 2028.*** For a period of a year between January 1, 2027, and when the recommended procurement standards are adopted by January 1, 2028, this bill requires that the segments notify the Legislature before executing a contract for the procurement of a GenAI system. There were concerns about seemingly needing legislative approval before executing a contract and the potential precedent that might set of

the Legislature seemingly able to influence and dictate specific procurement decisions at the segments.

- 5) ***The author indicates this bill intends to apply to the systems, not to individual campuses.*** This bill requires several systemwide activities, including the convening of a working group to develop standards for GenAI training and procurement, but parts of the bill inadvertently referred to institutions, and it was unclear to some if the reporting requirement applied to systemwide contracts or campus-level contracts. The author clarified that the intent of the bill was to apply to systems, not individual contracts.

This bill also requires that records of completed trainings be maintained for each student, faculty member, and staff member who receives a training. Committee staff understands that the author continues to have conversations with the segments about balancing the need for concrete data against the cost of maintenance, but staff notes that maintenance of records may need to be recorded at the local college level, rather than at the state level of the CCCCCO.

- 6) ***Committee amendments to be taken in the Senate Privacy, Digital Technologies, and Consumer Protection Committee.*** To address implementation concerns described in this analysis, as well as other clarifications, ***Committee staff recommends amendments to be taken in the Senate Privacy, Digital Technologies, and Consumer Protection Committee, as follows:***

- *Remove a requirement that an updated training be provided to students, faculty, and staff before their continued use of a product has undergone a material change in functionality or privacy practices.*
- *Replace language that requires that a report be submitted to the Legislature before executing a contract for the procurement of a GenAI system, and instead require that a report is required 60 days following the execution of a systemwide contract of a GenAI system.*
- *Clarify that the requirements of this bill apply to the UC, CSU, and CCC systems, not individual campuses.*
- *Change references to the “California Community Colleges” to instead be the “California Community Colleges Chancellor’s Office”.*
- *Add representatives from labor organizations representing the segments to a workgroup developing responsible training protocols and procurement standards for GenAI.*
- *Provide an overview of the privacy policies applicable to a GenAI system, not just the privacy policies themselves.*

7) *Related and Prior Legislation.*

SB 896 (Dodd, Chapter 928, Statutes of 2024), known as the Generative Artificial Intelligence Accountability Act, requires: a) the Department of Technology, under the guidance of various other state entities, to report to the Governor as required by Executive Order N-12-23; b) the Office of Emergency Services, as appropriate, to perform a risk analysis of potential threats posed by the use of GenAI to California's critical infrastructure; and c) a state agency or department that utilizes GenAI to directly communicate with a person regarding government services and benefits to ensure that those communications include a disclaimer, as specified, and information describing how the person may contact a human employee, as specified.

SUPPORT

None received

OPPOSITION

None received

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