

THIRD READING

Bill No: AB 2392
Author: Fong (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 5-0, 6/24/26

AYES: Pérez, Ochoa Bogh, Cortese, Gonzalez, Reyes

NO VOTE RECORDED: Cabaldon, Choi

SENATE PRIV., DIGITAL TECH. & CONS. PROT. COMMITTEE: 9-0, 6/29/26

AYES: Cabaldon, Seyarto, Gonzalez, McNerney, Ochoa Bogh, Padilla, Reyes,
Umberg, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 77-0, 5/26/26 - See last page for vote

SUBJECT: Public postsecondary education: generative artificial intelligence
systems: procurement standards: training

SOURCE: Author

DIGEST: This bill requires the California Community Colleges Chancellor's Office (CCCCO) and the California State University (CSU), and requests of the University of California (UC), 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.

Senate floor amendments of 8/21/26 replace the phrase “faculty advocacy organizations” with “systemwide academic senates” when describing the working group specified in this bill.

ANALYSIS:

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 California Community Colleges (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)

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 CCCCCO and the CSU, and requests of the UC, do both of the following:
- a) Jointly convene and participate in an intersegmental 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 CCCCCO, 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 the 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 CCCCCO and the CSU Chancellor’s Office. Requires the working group include, but not be limited to, privacy experts, representatives from student advocacy organizations, systemwide academic senates, community-based organizations, labor organizations that represent employees of the segments, and civil society groups, and academic researchers focused on responsible GenAI procurement, design, and implementation from the three segments.
- 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 systemwide policies concerning the use of a GenAI system, including policies related to academic integrity.

- b) An overview of the privacy policies applicable to a GenAI system, including how user data and prompts may be collected, stored, or used to train GenAI systems, and the internet website links to the privacy policies.
 - c) Guidance on the limitations of a GenAI system, including the potential for inaccurate, incomplete, or misleading outputs.
- 6) Requires that the working group, by January 1, 2028, present its recommendations for procurement standards and training to the respective system leaders.
- 7) Requires the CCCCCO and the CSU, and requests of the UC, do both of the following:
- a) Review the specified training at least once per academic year and update the training as necessary to reflect changes in systemwide policy, applicable law, or the functionality or privacy practices of the GenAI system.
 - b) 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.
- 8) Requires the CCCCCO and the CSU, and requests of the UC, to submit a written report, within 60 days following the execution of a systemwide contract for a GenAI system, to relevant policy committees of the Legislature with jurisdiction over higher education and privacy and consumer protection, until the specified GenAI procurement standards are adopted.
- 9) Requires the report include, but not be limited to, a description of all of the following:
- a) The GenAI system that was 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, 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.

Comments

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.”

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.

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.

This 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 training offered by the system is available and recommended for their benefit.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- The CSU anticipates General Fund costs in the mid hundreds of thousands of dollars for staff and CSU stakeholders to participate in the working group, develop and provide the training required by the bill, and produce the report required upon the execution of a GenAI system contract for the designated time period. The CSU also anticipates ongoing General Fund costs in the low hundreds of thousands of dollars each year for staff to review and update the training per academic year, and to maintain records of completed trainings systemwide.
- The UC estimates that this bill would result in one-time costs of \$450,000 to \$600,000. This estimate includes intersegmental stakeholder engagement, convenings, staff coordination, development of recommendations, GenAI procurement standards, training standards/protocols, development and production of mandatory AI training, training completion tracking, annual reviews and updates, and legislative reporting related to systemwide GenAI contracts. The UC also estimates ongoing General Fund costs of approximately \$100,000 each year for workgroup coordination, annual review, vendor-associated content updates, reporting, and mandatory training compliance monitoring. This estimate assumes that the working group would meet in subsequent years.
- The CCCCCO estimates one-time General Fund costs of between \$19,000 and \$83,000 to jointly convene and participate in an intersegmental working group to develop standards for responsible GenAI training and procurement, \$8,000 to \$60,000 for each legislative report that is produced anytime a GenAI system is procured for the entire system. Additionally, the CCCCCO estimates ongoing General Fund costs \$13,000 to \$60,000 to review and update training each year, and up to \$55,000 each year to compile and maintain records of completed trainings.

SUPPORT: (Verified 8/21/26)

Academic Senate for California Community Colleges
Cal State Student Association
California Teachers Association

OPPOSITION: (Verified 8/21/26)

None received

ASSEMBLY FLOOR: 77-0, 5/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Lackey, Muratsuchi, Celeste Rodriguez

Prepared by: Michelle Nguyen / ED. / (916) 651-4105
8/24/26 11:21:19

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