
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 935	Hearing Date:	July 16, 2025
Author:	Ransom		
Version:	July 3, 2025		
Urgency:	No	Fiscal:	Yes
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Subject: State agencies: complaints: demographic data.

SUMMARY

This bill requires the Superintendent of Public Instruction (SPI) and the state's Civil Rights Department (CRD) to collect and publish information relating to complaints of prohibited discrimination, and to provide that information to the yet-to-be-established Bureau for Descendants of American Slavery (Bureau) for publication on a public dashboard to be created by the Bureau.

BACKGROUND

Existing law:

- 1) States that it is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, equal rights, and opportunities in the educational institutions of the state. The purpose is to prohibit acts that are contrary to that policy and to provide remedies that will eliminate these discriminatory acts, including discrimination not just because of one protected trait, but also because of the combination of two or more protected bases. (Education Code (EC) § 200)
- 2) Prohibits any person from being subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls students who receive state student financial aid. (EC § 220)
- 3) Requires the SPI to establish and implement a system of complaint processing, known as the Uniform Complaint Procedures (UCP), but only for specified educational programs. (EC § 33315)
- 4) Authorizes complaints through the UCP that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group, including any actual or perceived characteristic, or on the basis of a person's association with a

person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution that is funded directly by, or that receives or benefits from, any state financial assistance. (EC § 33315)

- 5) Establishes the CRD, which, among other things, receives, investigates, conciliates, mediates, and prosecutes complaints alleging a violation of specified laws, including:
 - a) The Unruh Civil Rights Act;
 - b) The Ralph Civil Rights Act;
 - c) Statutes in the Civil Code that protect the rights of individuals with disabilities and medical conditions;
 - d) Statutes in the Government Code and Education Code prohibiting discrimination on the basis of specified characteristics in programs and activities conducted or operated by the state, or receiving financial assistance from the state, including in education; and,
 - e) The Fair Employment and Housing Act. (GOV § 12930)
- 6) Former statutes established the Task Force to Study and Develop Reparations Proposals for African Americans, to develop reparations proposals for African Americans, with special consideration for African Americans who are descended from persons enslaved in the United States, and provided that the Task Force statutes would remain in effect until July 1, 2023, and as of that date be repealed. (former GOV § 8301-8301.7, repealed by GOV § 8301.7)

ANALYSIS

This bill:

SPI and California Department of Education (CDE)

- 1) Requires the SPI, beginning July 1, 2026, upon receipt of a complaint that alleges unlawful discrimination, harassment, intimidation, or bullying received by CDE through the UCP, to collect all of the following information:
 - a) The self-identified protected group of the complainant, if voluntarily provided.
 - b) A description of the complaint received.
 - c) Any action taken by CDE in response to the complaint and the timeline for that action.
 - d) The disposition of the complaint.

- 2) Requires CDE, beginning July 1, 2027, and annually thereafter, to create and post on its website a summary report of the information collected.
- 3) Requires CDE to provide a copy of the report to the Bureau.

CRD

- 4) Requires the CRD to collect all of the following information for a complaint it receives:
 - a) Demographic data relative to ethnicity, race, gender, age, and other critical demographic information from the individual submitting the complaint collected in compliance with all applicable state and federal laws.
 - b) A description of the complaint received.
 - c) Any action taken by the CRD in response to the complaint received, and the timeline for that action, including whether the CRD filed a lawsuit in the complainant's name or issued a right-to-sue letter.
- 5) Requires the CRD to create and post on its website a summary report of the information collected pursuant to # 3.
- 6) Requires the CRD to provide a copy of the report, and transmit the data described in # 3, to the Bureau.

Bureau

- 7) Requires the Bureau to create and publish a dashboard that allows the public to view the data in the reports produced by CDE and CRD, and the data transmitted to the Bureau by the CRD.
- 8) Prohibits the dashboard from including any personally identifying information about any individual, and requires the information in the report to be sufficiently de-identified to prevent the identification of the individuals involved in a complaint.

General provisions

- 9) Requires the collected data to be confidential and protected from public disclosure, including disclosure pursuant to the California Public Records Act, except that the information may be disclosable pursuant to that act to the same extent as the underlying complaint.
- 10) Prohibits the summary reports produced by CDE and the CRD, the data transmitted by the CRD, and the Bureau's dashboard, from containing any personally identifying information about any individual, and requires the information in the report to be sufficiently de-identified to prevent the identification

of the individuals involved in the complaint.

- 11) Requires the collection, publication, and transmission of data required by this bill to comply with all applicable state and federal privacy laws.
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STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “AB 935 represents an important step toward fostering greater transparency within California’s state agencies. By requiring the collection and publication of anonymized demographic data, this bill ensures that the voices of historically marginalized communities, including descendants of American slavery, are heard and represented. This data-driven approach allows California’s Civil Rights Department and Department of Education to identify trends in civil rights violations, and allows policymakers to craft more targeted, effective data-based solutions to support historically marginalized communities. Based on the findings of the California Reparations Report, AB 935 presents an opportunity for California’s state agencies to identify racial biases and demographic trends when individuals report violations of their civil rights. In uncertain times, it is more important now than ever to ensure that we document these issues and make well-informed decisions to protect Californians.”
- 2) ***Task Force report.*** The Task Force to Study and Develop Reparation Proposals for African Americans issued its final report in 2023, titled “The California Reparations Report.” This bill implements one of the report’s recommendations relative to state agency transparency.
<https://oag.ca.gov/system/files/media/full-ca-reparations.pdf>
- 3) ***Information about complaints of discrimination.*** Existing law already requires CDE and the CRD to collect certain information about complaints of allegations of prohibited discrimination, including harassment, intimidation, or bullying, on the basis of protected characteristics. Beyond the data currently collected, this bill requires CDE to additionally collect information on the self-identified protected group of the complainant that is voluntarily provided. According to the author’s office, CRD already collects all of the data specified in this bill.

Committee staff notes:

- a) The federal Office of Civil Rights collects and publishes information about reported incidents of harassment or bullying; specifically, the various types of incidents and the percentage of racial groups (among other characteristics) targeted in those incidents.
- b) The data to be collected and reported as required by this bill would not be limited to complaints of discrimination against African Americans; it covers complaints of all types of discrimination.

The Senate Judiciary Committee's analysis notes, "it is worth noting that this bill does not appear to pose any constitutional issues, including issues relating to Proposition 209.¹ The collection of data concerning members of protected classes does not run afoul of equal protection principles or Proposition 209, provided that the program does not discriminate against, or grant a preference to, a particular group.² Here, the Superintendent, CRD, and Bureau are tasked with collecting and publishing data relating to all protected classes, and the bill does not require any action be taken on the basis of the reported data, so there are no obvious problems with Proposition 209 or equal protection principles."

4) ***Related legislation.***

SB 518 (Weber Pierson, 2025) establishes the Bureau for Descendants of American Slavery with the Department of Justice. SB 518 is pending in the Assembly Appropriations Committee.

SUPPORT

California-Hawaii State Conference of the NAACP

OPPOSITION

None received

-- END --

¹ See Cal. Const., art. I, § 31 (Prop. 209, as approved by voters, Gen. Elec. (Nov. 5, 1996)).

² E.g., *Connerly v. State Personnel Bd.* (2011) 92 Cal.App.4th 16, 46-47.