

SENATE PRIVACY, DIGITAL TECHNOLOGIES, AND CONSUMER PROTECTION COMMITTEE  
Senator Christopher Cabaldon, Chair  
2025-2026 Regular Session

SB 1101 (Pérez)  
Version: February 13, 2026  
Hearing Date: April 20, 2026  
Fiscal: Yes  
Urgency: No  
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**SUBJECT**

Postsecondary education: sharing personal information: notice

**DIGEST**

This bill requires the Trustees of the California State University (CSU), the governing board of a community college district, and other specified educational institutions, and requests the Regents of the University of California (UC), to notify faculty, staff, and students if their personal information is shared with the United States Department of Education's Office for Civil Rights (OCR) when the request for personal information is made as part of an investigative, compliance, or enforcement action.

**EXECUTIVE SUMMARY**

The U.S. Department of Education (DOE) has been dramatically downsized under the current federal administration. This includes its Office for Civil Rights. Historically, OCR investigations were primarily started by complaints from students and families alleging discrimination. However, more recent investigations have arguably taken a more political tone. For instance, the DOE initiated an "End DEI" portal for parents, students, and teachers to submit reports of discrimination based on race or sex. Investigations have increasingly targeted efforts by schools to be more inclusive of transgender students. Recent incidents where California institutions of higher education have turned over the personal information of students and faculty to the federal government have caused concern and spurred lawsuits.

This bill requires specified educational institutions to notify faculty, staff, and students when their personal information is shared with OCR, as specified. Such sharing is limited by the bill to only that required by federal or state law. This bill is sponsored by the California Faculty Association and the UC Student Association. It is supported by various labor groups, including the American Federation of State, County, and Municipal Employees, AFL-CIO. No timely opposition was received by the Committee. This bill passed out of the Senate Education Committee on a 5 to 0 vote.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Establishes, under the California Constitution, the University of California (UC) as a public trust to be administered by the Regents of the UC with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university, and such competitive bidding procedures as may be made applicable to the university for construction contracts, selling real property, and purchasing materials, goods, and services. (Cal. Const. art. IX, § 9.)
- 2) Provides that statutes related to the UC, and most other aspects of the governance and operation of the UC are applicable only to the extent that the Regents of the UC make such provisions applicable. (Ed. Code § 67400.)
- 3) Establishes the CCPA, which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to restrict the sale or sharing of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civ. Code § 1798.100 et seq.)
- 4) Defines “personal information” as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. The CCPA provides a nonexclusive series of categories of information deemed to be personal information, including identifiers, biometric information, and geolocation data. (Civ. Code § 1798.140(v).) The CCPA defines and provides additional protections for sensitive personal information, as defined, that reveals specified personal information about consumers. (Civ. Code § 1798.140(ae).)

This bill:

- 1) Requires the CSU Trustees, the governing board of a community college district, and an independent institution of higher education that is a Cal Grant qualifying institution, and requests the UC Regents, to notify faculty, staff, and students if their personal information is shared with OCR when the request for personal information is made as part of an investigative, compliance, or enforcement action.
- 2) Requires that when requests for personal information are made by subpoena, the notification be made as soon as reasonably practicable before complying with the subpoena.

- 3) Requires that the notification include a description of the specific types of personal information shared, including telephone numbers, email addresses, and physical addresses.
- 4) Limits the sharing of personal information with OCR to that which is required by federal or state law.
- 5) Provides that “personal information” has the same meaning as defined in the CCPA.
- 6) Includes a severability clause.

### COMMENTS

#### 1. Federal government data collection and the power of the states

Given the increasingly hostile federal administration to many of California’s stated values, the Legislature has passed a number of laws related to limiting the sharing of information with federal officials. In the immigration context, one of the first measures was AB 450 (Chiu, Ch. 492, Stats. 2017), which prohibited an employer from providing voluntary consent to an immigration officer to enter a non-public area of the workplace without being provided a judicial warrant. AB 450 also prohibited an employer from providing immigration officers voluntary consent to access, review, or obtain an employer’s employee records without a subpoena or judicial warrant, except in the context of a valid request to review I-9 employment eligibility verification forms and related records.

The same year that AB 450 was passed, the Legislature also passed the California Values Act (SB 54, De León, Ch. 495, Stats. 2017). SB 54 limited local law enforcement agencies’ sharing of inmate information with federal immigration agencies, and prohibited law enforcement agencies from using their resources for immigration enforcement or from cooperating in immigration enforcement activities.

In his second term, President Trump has utilized various federal agencies to collect information on Californians for various purposes. For instance, reports show that one new target of the federal government has been social media platforms:

The Department of Homeland Security is expanding its efforts to identify Americans who oppose Immigration and Customs Enforcement by sending tech companies legal requests for the names, email addresses, telephone numbers and other identifying data behind social media accounts that track or criticize the agency.

In recent months, Google, Reddit, Discord and Meta, which owns Facebook and Instagram, have received hundreds of administrative subpoenas from the Department of Homeland Security, according to four government officials and tech employees privy to the requests. They spoke on the condition of anonymity because they were not authorized to speak publicly.

Google, Meta and Reddit complied with some of the requests, the government officials said. In the subpoenas, the department asked the companies for identifying details of accounts that do not have a real person's name attached and that have criticized ICE or pointed to the locations of ICE agents. The New York Times saw two subpoenas that were sent to Meta over the last six months....

In September, for example, it sent Meta administrative subpoenas to identify the people behind Instagram accounts that posted about ICE raids in California, according to the A.C.L.U. The subpoenas were challenged in court, and the Department of Homeland Security withdrew the requests for information before a judge could rule.<sup>1</sup>

The United States DOJ has engaged in a wide-ranging effort to extract state voter rolls:

[T]he Justice Department has demanded that nearly every state and Washington, DC, hand over election-related records and data, such as full copies of statewide voter registration lists and ballots from previous elections, as well as access to voting equipment. The federal government has sued 30 states and Washington, DC, for not complying.

The requests cover sensitive, private information such as driver's license numbers and partial Social Security numbers. Its collection by the federal government raises serious privacy and security concerns and may violate state and federal laws.<sup>2</sup>

One new target for the federal government has been California's institutions of higher education. For example, the Equal Employment Opportunity Commission (EEOC) has been seeking the personal information of students, faculty and staff at a number of CSU schools:

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<sup>1</sup> Sheera Frenkel & Mike Isaac, *Homeland Security Wants Social Media Sites to Expose Anti-ICE Accounts* (February 13, 2026) The New York Times, <https://www.nytimes.com/2026/02/13/technology/dhs-anti-ice-social-media.html>. All internet citations are current as of April 9, 2026.

<sup>2</sup> Kaylie Martinez-Ochoa, Eileen O'Connor, & Patrick Berry, *Tracker of Justice Department Requests for Voter Information* (April 9, 2026) Brennan Center for Justice, <https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information>.

Some California State University faculty members say they are worried about employee privacy protections and academic free speech after learning that the Trump administration is investigating alleged antisemitism across the 22-campus system.

CSU Chancellor Mildred García late last week alerted university employees that the federal Equal Employment Opportunity Commission (EEOC) had opened an investigation into the CSU and “has begun direct outreach to some faculty and staff members across the system to review allegations of antisemitism and to speak with them about their experiences on campus.”

The chancellor’s email came a day after a California State University, Los Angeles administrator separately notified faculty and staff that the EEOC had issued a subpoena requiring that campus to “produce personal phone numbers and email addresses for all employees.” The email, circulated on social media by a faculty group, followed a previous notification in August alerting employees that the university had provided the EEOC with “publicly available university contact information” in response to an EEOC request.<sup>3</sup>

The UC system has also been requested to share information with federal agencies, causing concern among students and faculty:

UC Berkeley faced continued backlash Tuesday for its decision to disclose the names of 160 students, faculty and staff to Trump administration officials as part of an investigation into allegations the school fostered an atmosphere of antisemitism.

The disclosure of the names comes as the federal government continues to wage a campaign to upend elite institutions of higher education that it launched in the wake of campus protests over Israel’s war against Hamas. Among the schools in its crosshairs are UC campuses at Berkeley, San Francisco and Los Angeles. At UCLA, Trump officials have withheld more than \$580 million in research funds and offered to release the money if the school pays \$1 billion....

In a statement, a UC Berkeley spokesperson said the university was directed by Milliken’s office to provide documents in response to the U.S. Department of Education’s Office of Civil Rights demand for records as

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<sup>3</sup> Amy Dipierro, *Faculty react anxiously to Trump administration antisemitism probe at CSU* (September 30, 2025) EdSource, <https://edsource.org/2025/faculty-react-anxiously-to-trump-administration-antisemitism-probe-at-csu/741769?amp=1>.

part of its inquiry into how the university “handles complaints involving alleged incidents of antisemitism and/or discrimination.”

The documents were sent over a period of multiple months and people whose names were included were notified earlier this month. The spokesperson said the decision to alert the people was based on guidance from the school’s academic senate and “concerns from students that individuals be notified if their information is related to the federal government.”

Judith Butler, a professor in the Comparative Literature and Critical Theory department who said they were notified by Berkeley that their name was included in documents sent to Washington, raised the notion that other UC schools had done the same, but had not alerted people.<sup>4</sup>

Six hundred university professors from around the world who have worked with faculty at UC institutions, and particularly UC Berkeley, signed onto an open letter deriding the handling of the matter:

We are aware that the University has an obligation to comply with federal investigations. However, we believe that universities also have obligations to their faculty and students, who undeniably have both academic and political rights. Indeed, to preserve their institutional autonomy, some University presidents in the US have refused to comply with federal demands that they consider illegitimate.

A spokesperson for the university is quoted saying: “We are committed to transparency.” However, transparency should work both ways. Whatever reason UC Berkeley might have for acquiescing in federal investigations instead of refusing to comply, it goes against the principle of transparency to notify people that their names have been forwarded to the administration without communicating the content and nature of the allegations to the persons thus exposed. This looks like a one-way mirror. One consequence is that the people thus denounced have not had a chance to dispute the information the university has collected.

Universities have a duty to fight for academic freedom. Of course, today, they are under attack. But this is precisely the moment when the defense of academic freedom is most necessary.

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<sup>4</sup> Eric He, *UC takes heat for sharing student, faculty names with Trump administration* (September 16, 2025) Politico, <https://www.politico.com/news/2025/09/16/uc-faces-criticism-over-sharing-student-faculty-names-to-trump-administration-00567895>.

We have always admired those who, at Berkeley and elsewhere, fight for this fundamental liberty – not just free speech, but academic freedom. This is an essential value in democratic societies, all the more so when it is under threat.<sup>5</sup>

2. Protecting the privacy of California’s higher education institutions

According to the author:

The U.S. Department of Education’s Office for Civil Rights (OCR) enforces federal civil rights laws in education and may request personal information about students, faculty, and staff during investigations. Recent federal inquiries have raised concerns about transparency in how universities disclose such information, especially as the nature of investigations has shifted. While OCR investigations were once prompted by complaints from students or families alleging discrimination, the federal government is increasingly launching “directed investigations” without a formal complaint. These inquiries have focused on issues such as transgender athletes, gender neutral bathrooms, and initiatives viewed as discriminatory toward white students. They also include investigations, such as the California State University system’s association with a project that promotes diversity amongst students and broader allegations of antisemitism, including at University of California campuses. In several cases, federal authorities have issued subpoenas seeking employee information, including personal contact details, which have prompted privacy concerns among faculty and students.

SB 1101 establishes a clear transparency framework governing how institutions share personal information with OCR. It requires public higher education institutions, and requests the University of California, to notify individuals when their personal information is disclosed, including advance notice when responding to subpoenas, specifies the categories of information shared, and limits disclosure to circumstances required by law.

This bill requires the stated educational institutions, and requests the UC system, to provide notice to any faculty, staff, or students if their personal information is shared with OCR when the request is made as part of an investigative, compliance, or enforcement action. If the requests are made by subpoena, notification must be made as soon as reasonably practicable before complying with the subpoena. The notification must include a description of the specific types of information shared. The schools are

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<sup>5</sup> Open letter to James Milliken and Richard Lyons, <https://www.politico.com/f/?id=00000199-5507-dc77-afbb-df8fad430001>.

limited to sharing only that personal information that is required by federal or state law.

3. Stakeholder positions

The University of California Student Association, a co-sponsor of the bill, writes:

As part of these investigations, federal authorities have issued requests, including subpoenas, seeking employee information such as personal phone numbers and email addresses, as well as student and staff records. These requests quickly raised concerns about privacy and institutional transparency, prompting our students, faculty and staff impacted and civil rights groups wary of the federal administration using this information to pursue their right-wing agenda to argue that individuals **should be notified** when their personal information is shared with federal authorities....

UC students and students across the state and country are the future of our workforce, society and democracy, and as advances in technology rapidly increase, SB 1101 takes significant steps towards ensuring that institutions are held accountable to how our information is being used and who is notified when that information is being shared.

Writing in support, the California State University Employees Union argues:

With the federal administration weaponizing the complaint processes at college campuses to pressure them into implementing more conservative, less inclusive policies, it is more crucial than ever to protect the privacy and rights of students and employees. Our members are dedicated to the success of all students, and maintaining accessible, diverse campuses with equitable policies is critical to that goal. SB 1101 creates a transparency framework with reasonable guardrails that will help protect students and employees and allow our universities to thrive.

SUPPORT

California Faculty Association (co-sponsor)

University of California Student Association (co-sponsor)

American Federation of State, County and Municipal Employees, AFL-CIO

California State University Employees Union (CSUEU)

CFT - a Union of Educators & Classified Professionals, AFT, AFL-CIO

Oakland Privacy

**OPPOSITION**

None received

**RELATED LEGISLATION**

SB 957 (Pérez, 2026) places requirements and restrictions on social media companies with respect to their handling of administrative subpoenas issued pursuant to the Immigration and Nationality Act. SB 957 requires social media platforms to provide notice to users whose information is being requested by such subpoenas. SB 957 is currently in the Senate Judiciary Committee.

AB 1542 (Ward, 2026) prohibits, pursuant to the CCPA, a business, service provider, or contractor from selling or sharing the sensitive personal information of a consumer to a third party. AB 1542 is currently in the Assembly Privacy and Consumer Protection Committee.

SB 54 (De León, Ch. 495, Stats. 2017) limited local law enforcement agencies' sharing of inmate information with federal immigration agencies, and prohibited law enforcement agencies from using their resources for immigration enforcement or from cooperating in immigration enforcement activities. In addition, SB 54 required the Attorney General to publish various model policies regarding local entities' involvement or cooperation with immigration enforcement.

AB 450 (Chiu, Ch. 492, Stats. 2017) prohibited an employer from providing voluntary consent to an immigration officer to enter a non-public area of the workplace without being provided a judicial warrant. AB 450 also prohibited an employer from providing immigration officers voluntary consent to access, review, or obtain an employer's employee records without a subpoena or judicial warrant, except for in the context of a valid request to review I-9 employment eligibility verification forms and related records.

**PRIOR VOTES:**

Senate Education Committee (Ayes 5, Noes 0)

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