
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair

2025 - 2026 Regular Session

SB 1101 (Pérez) - Postsecondary education: sharing personal information: notice

Version: February 13, 2026

Policy Vote: ED. 5 - 0, P., D.T., & C.P. 7 - 1

Urgency: No

Mandate: Yes

Hearing Date: May 4, 2026

Consultant: Lenin Del Castillo

Bill Summary: This bill requires the California State University (CSU), community college districts, and independent institutions of higher education, and requests the University of California (UC), to notify faculty, staff, and students if their personal information is shared with the U.S. Department of Education's Office for Civil Rights (OCR) under specified circumstances.

Fiscal Impact:

- The CSU estimates ongoing General Fund costs of \$1.7 million to \$3.3 million to comply with the bill's notification and compliance requirements across the system. This estimate assumes that each of CSU's 22 campuses would require between 0.5 to 1.0 full-time equivalent (FTE) staff to manage the additional administrative workload, notification, tracking, and compliance activities. The CSU indicates it may incur additional, ongoing costs related to training and onboarding for compliance staff, development or modification of tracking systems, and coordination across campuses and the Chancellor's office.
- The Chancellor's Office estimates one-time Proposition 98 General Fund costs of between \$16,000 and \$24,000 per community college district, or \$1.2 million to \$1.7 million statewide, to develop and update the necessary policies, training, and technology systems to ensure all students, faculty, and staff are notified when their personal information is shared with the OCR.
- The UC estimates ongoing General Fund costs of \$750,000 to \$1.5 million systemwide to implement the bill's requirements. This estimate assumes that each campus would need 0.5 to 1.0 FTEs. Additionally, the UC indicates that the bill's broad definition of personal information would likely result in any production including names or other personally identifiable information requiring notice to individuals.

Background: Federal law establishes the Federal Family Educational Rights and Privacy Act (FERPA) which sets requirements for the privacy of student education records and generally prohibits disclosure without student consent, except under specified circumstances, including compliance with a lawfully issued subpoena or in response to certain federal audits or evaluations. FERPA also requires institutions to notify students of a subpoena prior to compliance, unless otherwise directed.

Existing law establishes the California Consumer Privacy Act (CCPA) which grants California residents rights regarding the collection, use, and disclosure of personal information by businesses, including the right to know what information is collected and how it is shared. For purposes of the CCPA, “personal information” is defined to include information that identifies, relates to, or could reasonably be linked with a particular consumer or household and includes, but is not limited to, specific categories of information.

Proposed Law: This bill 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.

This bill provides that when requests for personal information are made by subpoena, the notification shall be made as soon as reasonably practicable before complying with the subpoena.

This bill requires that the notification include a description of the specific types of personal information shared, including, but not limited to, telephone numbers, email addresses, and physical addresses. It also limits the sharing of personal information with the OCR to that which is required by federal and state law.

This bill defines “personal information” to have the same meaning as defined in the CCPA. Additionally, the bill provides that its provisions are severable, as specified.

Staff Comments: The OCR is responsible for enforcing federal civil rights laws in education, specifically laws that prohibit discrimination in programs or activities that receive federal assistance from the U.S. Department of Education. The OCR often requests access to institutional data to investigate and resolve allegations of discrimination. Recent requests for information from federal agencies have raised questions regarding whether institutions notify individuals when their personal information is shared in compliance with federal requests. This bill is intended to ensure that students, faculty, and staff are informed when their data is shared with OCR in an effort to support greater transparency regarding data-sharing practices.

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.”

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