

Date of Hearing: June 23, 2026

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

SB 1328 (Cervantes) – As Amended June 15, 2026

SENATE VOTE: 30-7

SUBJECT: Public postsecondary education: Equity in Higher Education Act: campus contact

SUMMARY: Requires a non-main campus location of the California Community Colleges (CCC) and the California State University (CSU), and request a non-main campus location of the University of California (UC) to designate a confidential point of contact for lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex, and two-spirit (LGBTQ+) students and faculty for the non-main campus location, as defined. Specifically, **this bill:**

- 1) Requires the Trustees of the CSU and the governing board of a community college to designate an employee as the point of contact for the needs of LGBTQ+ faculty, staff, and students of a branch campus, satellite location, or site other than a main campus. In order to “designate” an employee, the location must do one of the following:
 - a) Designate an additional employee – beyond the person identified at the main campus location – for the branch campus, satellite location, or site other than the main campus; and,
 - b) Require the main campus LGBTQ+ designated employee to hold virtual or in-person office hours at a branch campus, satellite location, or site other than the main campus. The frequency of the office hours will either be weekly, monthly, or at a frequency as determined by the main campus LGBTQ+ designated employee.
- 2) Requires the Trustees of the CSU and the governing board of a community college to provide the name and contact information of the LGBTQ+ designated employee on the website for the branch campus, satellite location, or site other than the main campus. Further, requires the name and contact information of the LGBTQ+ designated employee to be included in the printed and online directories of the branch campus, satellite location, or site other than the main campus.
- 3) Clarifies the LGBTQ+ designated employee regardless of their location (main or non-main campus) is considered exempt from the reporting requirements of Title IX and the campus-based sexual harassment requirements pursuant to Education Code Section 66281.8. Furthermore, the LGBTQ+ designated employee is not permitted to share information given to them by faculty, staff, and students about any alleged act of sexual harassment, sexual violence, or discrimination unless the designee has received expressed written permission from the person who shared information.
- 4) Requires the LGBTQ+ designated employee to be someone other than the campus’ Title IX coordinator.
- 5) Defines the following:

- a) “Branch campus” as a site other than a main campus or satellite location;
 - b) “Main campus” as the campus’s sole or primary teaching location; and,
 - c) “Satellite location” as an auxiliary classroom or teaching site within 50 miles of the main campus or branch campus serving at least 100 students for at least one academic term.
“Satellite location” does not include site whose primary purpose is providing health care services, clinical training, research activities, or telehealth services, and that is not primarily used for classroom instruction.
- 6) Requests the University of California (UC) to implement the above pursuant to a resolution adopted by the UC Board of Regents.
- 7) States if the Commission on State Mandates determines there is a cost associated with the implementation of the measure, the State will reimburse local agencies and school districts for the determined cost.

EXISTING LAW: *Federal law.*

- 1) No person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance except for specified circumstances including membership of fraternities and sororities (United States Code Title 20, Chapter 38, Section 1681 (Title IX)).
- 2) Requires a postsecondary education institution, that receives federal funding, to respond promptly to address sexual harassment in an education program or activity, once the institution has actual knowledge of the harassment. Actual knowledge means the notice of sexual harassment or allegation to the Title IX coordinator or any official who has the authority to institute corrective measures (Federal Code of Regulations Title 34, Subtitle B, Chapter 1, Subpart D, Section 106.44 (a) and 160.30 (a)).

State law.

- 1) Defines “sexual orientation” for the Equity in Higher Education Act as, a person’s physical, emotional, and romantic attraction to other peoples. Sexual orientation for purposes of the Equity in Higher Education includes heterosexuality, homosexuality, bisexuality, asexuality, and pansexuality (Education Code (EDC) Section 66262.7).
- 2) Requests the Trustees of the CSU, the Regents of the UC, and each governing board of the community colleges to designate an employee at each campus to be the point of contact for lesbian, gay, bisexual, asexual, pansexual, transgender, gender-nonconforming, intersex, and two-spirit faculty, staff, and students at the respective campuses. It is further requested that the contact information for the designated employee be included on the campus website and in the campus directories. Exempts the designated person from the institution’s mandated reporting requirements for purposes of Title IX and the institution’s sexual harassment obligations under state law, unless the designated person receives explicit written consent from the person who shared the information (EDC Section 66271.2).

- 3) Establishes requirements for how higher education institutions in California are to adjudicate sexual harassment complaints. The provision stipulate most academic or student life employees on campus are considered mandatory reporters with very few exemptions including but not limited to therapist, UC CARE employees, CSU victim advocates, or person's whose confidentiality is mandated by law (EDC Section 66281.8).

FISCAL EFFECT: According to the Senate Committee on Appropriations:

- 1) The Chancellor's Office estimates ongoing Proposition 98 General Fund costs of \$996,000 each year for community college districts to designate an employee at each of their satellite campuses as a point of contact for the needs of these students. This estimate assumes a cost of \$12,000 for each of the 83 educational centers located throughout the state. These costs could be lower if an existing college point of contact is able to serve the same role at an educational center.
- 2) The UC estimates ongoing General Fund costs of \$4.8 million each year. This estimate assumes that the bill would apply to 390 sites throughout the state which includes medical clinics, hospitals, and research sites, and the equivalent time base of 30 full-time employees across the system.
- 3) The CSU estimates that the cost for CSU to comply with this bill would be minor and absorbable within existing resources.

COMMENTS: *Author's statement.* As articulated by the author, "LGBTQ+ students, especially LGBTQ+ women, face disproportionate amounts of sexual harassment and violence on college campuses. Without access to culturally competent support, this issue will continue to worsen. Geography should not determine whether our students have a safe and supportive learning environment at our public institutions of higher education. Whether they are on the main campus or a satellite site, our students deserve the right to further your education without fear of discrimination, harassment, or violence. This bill will expand upon the work done by the LGBTQ Caucus through Senate Bill 1491 (Eggman, 2024) and further ensure that there is a point of contact for our LGBTQ+ students, faculty, and staff at satellite or branch campuses of the University of California, California State University, and community colleges."

Implementation of SB 1491 (Eggman), Chapter 490, Statutes of 2024. In 2024, as part of the "A Call to Action" bill package, Senator Eggman introduced SB 1491 which required campuses of the CSU and CCC to designate an employee to be a point of contact for LGBTQ+ staff and to ensure this person was considered exempt from the reporting requirements of both Title IX and the institution's procedures for reporting incidents of sexual harassment. According to the background documents provided to the Committee by the author, "100% of CSU campuses and 98% of California Community College Campuses are now in compliance in regards to their main campuses." Each UC campus has LGBTQ+ centers with multiple dedicated staff to assist LGBTQ+ students, faculty, and staff; however, the UC has not published which staff member is confidential. Furthermore, Committee staff were unable to determine which employees are considered confidential as the UC has not provided to the Legislature their annual report in compliance with Education Code Section 66282.2 on system's handling of sexual harassment complaints.

SB 1328 (Cervantes) builds upon the success of SB 1491 to ensure LGBTQ+ identifying students and employees at non-main campus educational sites operated by the public higher education institutions are provided a confidential point of contact.

Clarity on “confidential employee or non-responsible employee.” In an implementation memorandum published by the Chancellor’s Office of the CCC, community colleges were informed that SB 1491 (Eggman) required that confidential designated employee be, “from duties of a “responsible employee” for purposes of sexual harassment reporting consistent with Education Code Section 66281.8.”¹ However, this guidance is not fully accurate as the designated employee is also exempt from reporting Title IX related incidents to the Title IX coordinator. Committee staff have learned from an array of community college staff, that additional guidance from legal counsels at the community colleges have suggested that anyone in the college’s LGBTQ+ center may also be considered confidential if they provide services to a LGBTQ+ student or employee.

At the time of publication of SB 1491 (Eggman), the Federal Government had issued new 2024 Title IX regulations which included additional clauses as to who could be considered “confidential” or exempt from the reporting requirement listed in the Title IX regulations. SB 1491 (Eggman) was written to comply with the new Title IX regulations; however, since the 2024 Title IX regulations have been vacated by the Federal courts, the term “confidential employee” is no longer defined by the current Title IX regulations. In Code of Regulations Title 32, Subtitle B, Chapter 1, Part 106, Subpart D, Section 106.30 defines “Actual Knowledge” as either a notification to a Title IX coordinator or a notification to an administrator who has authority to institute corrective measures on behalf of the college or university. Actual knowledge is when a college or university has a duty to address the allegation of sexual harassment. By this definition any employee would not be considered “mandated” to report allegations of sexual harassment; however, the Title IX coordinator or an administrator with oversight over civil rights compliance would be duty bound to address, investigate, and remediate incidents of sexual harassment.

SB 1328 (Cervantes) eliminates the confusion regarding who and to what extent the designated employee for LGBTQ+ faculty, staff, and students are exempt from reporting requirements; and expands the liaison coverage to include non-main campus sites operated by the CCC, CSU, and UC.

To ensure the language complies with current Title IX regulations, SB 1328 (Cervantes) prevents the campus from designating the Title IX coordinator as the LGBTQ+ designated employee.

The confidential exemptions contained in SB 1328 (Cervantes) for the designated employee for LGBTQ+ employees and students extend only to reporting requirements of incidents pertaining to Title IX violations or sexual harassment as defined by the Sex Equity in Education Act. This reporting exemption is limited to the two pathways by which an employee may be required by law to report an incident of sexual harassment to the institution; however, the reporting exemption does not extend to mandated reporting laws for crimes nor crimes against children.

Non-main campuses of the CCC, CSU, and UC. Each public higher education system in California has different names for their non-main campus locations within their respective

¹ <https://www.cccco.edu/-/media/CCCCO-Website/docs/memo/ess-25-27-sb-1491-implementation-a11y.pdf>

system. According to the CSU Physical Campus Master Plan, there are nine off-campus centers (satellite locations) which offer educational services to students. As indicated in the *Fiscal Effect* section of this analysis, the CCC identified 83 non-main campus locations that would be affected by the measure, and the UC identified 390 sites. Since the publication of the Senate Committee on Appropriation's analysis the author has narrowed the scope of the definition of a satellite location to exclude – (1) locations with less than 100 students being served in a single term; and (2) locations that provide health care services, clinical training, research activities, telehealth services, and that is not primarily used for classroom instruction.

By adopting this definition, the author has addressed some of the concern raised in the Senate Education Committee's analysis regarding the inclusion of K-12 students and justice involved students who are being educated at an off-main campus location that would not be conducive to the requirements of the measure. However, the possibility remains that dual enrollment programs and programs which provide educational resources to justice involved students could still be interpreted as part of the "satellite location" definition, if the program enrolls more than 100 students at a given site for an academic term. Since K-12 schools have different reporting requirements under Title IX, the designated employee may not be considered "confidential" pursuant to Federal Regulations for K-12 students but would be considered "confidential" for postsecondary education students. This could cause confusion and could result in the postsecondary education institutions and their K-12 partners inadvertently violating the reporting requirements for Title IX. Furthermore, postsecondary education institutions may face implementation barriers to offering a designated employee for students in educational programs offered to justice involved students at facilities run by the California Department of Corrections.

To address these concerns, the Committee has suggested and the author has agreed to take amendments that exempts dual enrolment programs and any program that requires an institution to partner with the California Department of Corrections from the provision of the bill. The amendments are as follows:

- 1) Amends Education Code Section 66271.1, subdivision (a), paragraph (3), subparagraph (C) to read as follows:

(C) "Satellite location" means an auxiliary classroom or teaching site within 50 miles of the main campus or a branch campus serving at least 100 students for at least one term. "Satellite location" does not include a site whose primary purpose is providing health care services, clinical training, research activities, or telehealth services, and that is not primarily used for classroom instruction. *"Satellite location" does not include a dual enrollment program offered in partnership with a local education agency that enrolls K-12 students. "Satellite location" does not include postsecondary classes for inmates of institutions or facilities under the jurisdiction of the Department of Corrections.*

Arguments in support. As the sponsor of the measure, the California Legislative LGBTQ Caucus expresses their support as "in 2024, Governor Newsom signed SB 1491 (Eggman), which required the California State University (CSU) and California Community Colleges (CCC) systems to designate confidential LGBTQ+ liaisons at each campus. While both higher education systems are expected to achieve full compliance this spring semester, the law did not extend to satellite or auxiliary campus locations. There are more than 100 satellite campuses across the CSU and CCC systems that currently lack a dedicated confidential liaison for LGBTQ+ students. As a result, students at these sites must often travel to their institution's main campus to access

culturally competent and confidential support services. For many students, particularly those in rural communities, this can mean traveling several hours, creating significant barriers to accessing care. SB 1328 addresses existing gaps in protections by requiring public colleges and universities to designate an employee at each satellite or auxiliary campus to serve as a confidential LGBTQ+ liaison and to publish that individual's contact information in publicly accessible materials for students, faculty, and staff.”

REGISTERED SUPPORT / OPPOSITION:

Support

Academic Senate California State University (ASCSU)
Alliance for Transyouth Liberation
California Legislative Lgbtq Caucus
Cft – a Union of Educators & Classified Professionals, Aft, Afl-cio
Courage California
El/la Para Translatinas
Equality California
Faculty Association of California Community Colleges
Gender Affirming Professionals
Lgbtq+ Inclusivity, Visibility, and Empowerment (LIVE)
Lyon-martin Community Health Services
Pflag Danville-san Ramon Valley Chapter
Pflag Sacramento
Public Counsel
Rainbow Families Action Bay Area
San Diego Pride
The Source Lgbt+ Center
The Translatin@ Coalition
University of California

Opposition

None on file.

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