

SENATE THIRD READING

SB 1328 (Cervantes)

As Amended June 25, 2026

Majority vote

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.

Major Provisions

- 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. "Satellite location" does not include any satellite location that offers dual enrollment programs. "Satellite Location" does not include locations under the jurisdiction of the Department of Corrections and Rehabilitation that offer postsecondary education courses to justice-involved students.
- 6) Requests the University of California (UC) to implement the above pursuant to a resolution adopted by the UC Board of Regents.

COMMENTS

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

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

"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.

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 system. According to the CSU Physical Campus Master Plan, there are nine off-campus centers (satellite locations) which offer educational services to students. In past Committee analyses, the CCC identified 83 non-main campus locations that would be affected by the measure, and the UC identified 390 sites. Committee staff note the sites identified by the UC were based on a different definition of "Satellite Campus" and the author has worked with the UC to reduce the number of sites the measure would impact.

According to the Author

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."

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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) Ongoing General Fund costs between approximately \$300,000 and \$450,000 for the UC to hire two to three additional staff to meet the requirements of this bill, particularly for satellite sites such as UC San Francisco Fresno and UC extension programs.
- 2) Minor and absorbable costs for the CSU.
- 3) Ongoing Proposition 98 General Fund costs, likely minor, for community college districts (CCDs) to have a designated point of contact as prescribed by the bill. According to the California Community Colleges Chancellor's Office (CCCCO), while the CCDs statewide maintain 83 educational centers, which would likely fall under the definition of a branch or satellite campus under the bill, most CCDs will likely assign the same existing LGBTQ+ point of contact serving the main campus, significantly reducing any implementation costs.

VOTES

SENATE FLOOR: 30-7-3

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNERNEY, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Seyarto, Strickland

ABS, ABST OR NV: Niello, Ochoa Bogh, Valladares

ASM HIGHER EDUCATION: 7-3-0

YES: Fong, Boerner, Jackson, Muratsuchi, Patel, Celeste Rodriguez, Sharp-Collins

NO: DeMaio, Jeff Gonzalez, Tangipa

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Dixon, Ta, Tangipa

ABS, ABST OR NV: Hoover

UPDATED

VERSION: June 25, 2026

CONSULTANT: Ellen Cesaretti-Monroy / HIGHER ED. / (916) 319-3960

FN: 0003560