

CONSENT

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Bill No: SB 928  
Author: Cervantes (D)  
Amended: 3/24/26  
Vote: 21

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SENATE EDUCATION COMMITTEE: 7-0, 4/15/26  
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

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**SUBJECT:** California State University: faculty employees

**SOURCE:** California Faculty Association  
California Federation of Labor Unions, AFL-CIO

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**DIGEST:** This bill requires that the instructor of record for a California State University (CSU) course be a person who is qualified to serve as a faculty employee and explicitly requires that a CSU faculty employee be a person.

**ANALYSIS:**

Existing law:

- 1) Establishes the CSU system, made of 22 campuses, and bestows upon the CSU Trustees, through the Board of Trustees, the power, duties, and functions with respect to the management, administration, and control of the CSU system. (Education Code (EC) §§ 66606 and 89030 et seq.)
- 2) Requires the CSU Trustees to provide by rule for the government of their appointees and employees, including, among other things, rules related to appointment, classification, and duties. (EC § 89500)
- 3) Requires that a California Community College (CCC) instructor, librarian, counselor, student personnel worker, supervisor, administrator, chief administrative officer, extended opportunity programs and services worker, disabled students programs and services worker, apprenticeship instructor, or

health supervisor be a *person* who meets the minimum qualifications to serve in that position established in current law. (EC § 87359.2(a))

- 4) Requires that the instructor of record for a community college course be a *person* who meets minimum qualifications to serve as a faculty member teaching noncredit or credit instruction. (EC § 87359.2(b))

This bill:

- 1) Requires that the instructor of record for a CSU course of instruction be a person who meets the rule to serve as a faculty employee teaching credit or noncredit instruction.
- 2) Requires that a CSU faculty employee be a person who meets the rule to serve in that position.
- 3) States the bill’s provisions do not prohibit CSU employees from using artificial intelligence (AI) tools to assist in the operations of the CSU or in providing services to CSU students.
- 4) States that “faculty employee” includes, but is not limited to, an employee of the CSU who is a professor, lecturer, librarian, counselor, or coach. These positions include instructional and non-instructional positions as well as full-time, part-time, probationary, tenured, temporary, and extension for-credit positions.

## Comments

- 1) *Need for the bill.* According to the author, “In February 2025, the California State University (CSU) announced a \$17 million contract with OpenAI to provide ChatGPT Edu to all faculty, staff, and students on its 22 campuses as part of a larger “AI Powered University” initiative. The contract between the CSU and OpenAI is the largest contract ever established between a university system and an artificial intelligence (AI) company and was ratified without faculty consent. While there is room for technology tools like AI to contribute in CSU, human faculty are still necessary and best suited to teach human students. Senate Bill 928 would erect guardrails to prevent instructional and non-instructional faculty employees at the CSU from being replaced by AI. The bill would require that faculty positions—which includes professors, lecturers, librarians, counselors, and coaches—must be held by an individual who meets

all the minimum qualifications as determined by the Trustees of the California State University. This bill would also require that the instructor of record for a course of instruction shall be a person who meets the rule to serve as a faculty employee teaching credit or noncredit instruction. SB 928 builds upon the work I did in Assembly Bill 2370 (2024) and Senate Bill 241 (2025) to provide similar faculty protections within the California Community Colleges.”

- 2) *What’s the problem?* AI has been described as the quality of any computer program to sense, reason, act, and adapt like humans. As such, it performs with near-humanlike abilities. Fear that the technology could potentially replace human jobs is a growing concern across many sectors. At the same time, the rapid development of AI has opened opportunities that have enhanced human capabilities. This dynamic is also felt in education, as these technologies provide useful tools for enhancing instructional practices and student learning, but also bring about the need to defend the role of human faculty and other educator positions. It also brings about the need to protect instructional quality for students that ensures they are adequately prepared for careers in their field of study. Current law, enacted by SB 241 (Cervantes, Chapter 214, Statutes of 2025) and AB 2370 (Cervantes, Chapter 66, Statutes of 2024), explicitly required community college instructors and certain employees to be a *person* and required that the instructor of record for a community college course be a *person* that is qualified for the position, respectively. This bill attempts to build on that policy by enacting similar requirements for CSU faculty and faculty employee positions.
  
- 3) *COVID pandemic accelerated virtual instruction.* The COVID-19 pandemic accelerated the expansion of virtual instruction within the CSU, as campuses shifted to distance learning. Prior to the pandemic, CSU had already incorporated online instruction as a means of expanding access, with the Legislative Analyst’s Office (LAO) reporting (*An Evaluation of CSU’s Cross Campus Online Education Program in 2018*) that 19% of CSU undergraduates took at least one fully online class as early as 2015. The LAO recently reported, in its trends in higher education series, that online instruction increased significantly during the COVID-19 pandemic and remains above the pre-pandemic levels. CSU continues to offer online courses systemwide, including cross-campus enrollment in fully online courses, reflecting the ongoing role of virtual instruction within the system. Online courses can be a popular option for students who want greater flexibility in how they access their education, particularly for those who are place-bound or have work and family obligations. Arguably, the rapid growth of online instruction has also contributed to

increased use of AI to support teaching and learning, particularly in virtual settings, clarifying that course instruction remains the responsibility of qualified faculty is timely.

- 4) *AI integration in higher education.* AI can provide numerous benefits in augmenting traditional methods of learning and instruction. Examples of this capability include offering interactive simulations, virtual reality experiences, and intelligent tutoring systems, as well as improving accessibility for students with disabilities with text-to-speech and speech-to-text technology. CSU, in particular, recently declared itself an AI-empowered higher education system, integrating AI learning and teaching tools across the system, which further demonstrates AI's growing influence in educational settings. CSU is partnering with tech companies, including OpenAI, to create its AI-powered higher education system with the goal of enacting a systemwide AI strategy to equip students, faculty, and institutions to be positioned to lead the state in leveraging emerging AI technologies. For faculty, this includes access to AI technologies, training, and transformative research capabilities. Students are to be equipped with personalized learning tools and access to apprenticeship programs within the industry. Seemingly, the intent of the initiative is to foster greater innovation in an educational environment to support successful outcomes.

At the same time, ensuring student success in educational programs involves a personal element to effectively educate and foster personal growth among individuals. Faculty have the ability to stimulate critical and creative thinking, inspire students, cultivate empathy and moral conviction, and respond to unexpected situations. This bill attempts to preserve the role of faculty in course instruction while allowing for the use of AI in the classroom to enhance instructional practices.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: No Local: No

**SUPPORT:** (Verified 4/15/26)

California Faculty Association (Co-source)

California Federation of Labor Unions, AFL-CIO (Co-source)

**OPPOSITION:** (Verified 4/15/26)

None received

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105  
4/20/26 9:40:32

**\*\*\*\* END \*\*\*\***