

Date of Hearing: March 18, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 1549 (Rendon) – As Introduced: January 27, 2014

SUBJECT: Postsecondary education: Equity in Higher Education Act.

SUMMARY: Would require California postsecondary educational institutions to post sexual harassment policies on the institution's official Internet Web site.

EXISTING LAW establishes the Equity in Higher Education Act to ensure equal rights and opportunities in postsecondary educational institutions of the state, to prohibit contrary policies, and provide remedies for violations. Provisions governing sex equity establish, among other requirements, that institutions have written policies on sexual harassment that provide procedures for reporting charges of sexual harassment and pursuing remedies. Policies are required to be displayed in a prominent location in the main administrative building or other area of the campus, in orientation programs, to each faculty/staff member, and in all publications that set forth comprehensive rules for the institution. Institutions are also required to post sexual violence prevention and education materials on the institutions website.

FISCAL EFFECT: Unknown

COMMENTS: According to the author, in May 2013, nine women from UC Berkeley officially filed a complaint with the Federal Office of Civil Rights (OCR) alleging that their rights under the Clery Act and/or Title IX were violated by their campus in relationship to the reporting and procedures surrounding a sexually related offense committed against them. The author notes that the allegations state that their cases were simply not taken seriously by campus officials and not reported properly; campus officials discouraged them from reporting their cases to police and did not provide these victims with adequate support services, required by law. While universities have policies in place for dealing with sexual violence, the author is concerned that these policies are not being followed. The author contests that loopholes in policy language enable administrators to work around procedural responsibilities and to instead prioritize their institution's reputation over the welfare of students. The author indicates that this bill is intended to make campus policies on sexual harassment more accessible to students by having postsecondary institutions post their policies on their official websites.

As previously noted, existing law requires institutions to post sexual violence prevention and education materials on the institution's website, including information regarding internal and external complaints processes and consequences for committing acts of sexual violence. It is unclear if this bill would result in any additional information being made available on the institutional website that is not already covered by existing law.

REGISTERED SUPPORT / OPPOSITION:

Support

California Communities United Institute
University of California Student Association

Opposition

None on File

Analysis Prepared by: Laura Metune / HIGHER ED. / (916) 319-3960