

Date of Hearing: April 28, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 340 (Weber) – As Amended April 13, 2015

SUBJECT: Postsecondary education: campus climate: report

SUMMARY: Requires the California Community Colleges (CCC) Board of Governors (BOG) and the California State University (CSU) Trustees, and encourages the University of California (UC) Regents, to each generate a report, as specified, pertaining campus climate. Specifically, **this bill:**

- 1) Defines "campus climate" to mean a measure of an individual's experience within a learning environment, specifically on the current attitudes, practices, policies, and behaviors of campus life that impact the success and retention of all members of a campus community.
- 2) Requires the CCC BOG and the CSU Trustees, and encourages the UC Regents, to generate a report once every biennium of the legislative session, beginning with the 2017-2018 Regular Session.
- 3) Specifies that the report shall include, but not be limited to, all of the following as to the respective segment:
 - a) The amount spent on campus climate efforts;
 - b) New and recent administrative efforts intended to affect campus climate;
 - c) Campus developments on all of the following as they may impact campus climate: i) Gender, ii) Race, iii) Ethnicity, iv) National origin, v) Religion, vi) Sexual orientation, vii) Disability, and viii) Gender identity; and,
 - d) Data, including, but not limited to, both of the following: i) Student demographic data, and ii) Crime data, including, but not limited to, the data required to be kept and disclosed in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. Sec. 1092(f)) and other hate crime statistics.
- 4) Requires the CCC BOG and the CSU Trustees, and encourages the UC Regents, to each post the respective segment's report on its Internet Web site; and, to send said report to the Governor, the Attorney General, and the appropriate policy committees of the Legislature.

EXISTING LAW:

- 1) Declares it a goal of public higher education that educational equity be achieved through educational environments in which each person, regardless of race, gender, gender identity, gender expression, sexual orientation, age, disability or economic circumstances has a reasonable chance to fully develop his or her potential (Education Code Section 66010.2).

- 2) Provides that it is the policy of the State of California to afford all persons, regardless of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the postsecondary institutions of the state (Education Code Section 66251).
- 3) Provides that all students have the right to participate fully in the educational process, free from discrimination and harassment and that California's postsecondary educational institutions have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity; and declares the Legislature's intent that each postsecondary educational institution undertake educational activities to counter discriminatory incidents on school grounds and, within constitutional bounds, to minimize and eliminate a hostile environment on school grounds that impairs the access of students to equal educational opportunities (EC Section 66252).
- 4) Requests the UC Regents, CSU Trustees, and the governing board of each community college district to adopt and publish policies on harassment, intimidation, and bullying to be included within the rules and regulations governing student behavior within their respective segments of public postsecondary education (EC Section 66302).
- 5) The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities, as a condition of federal student aid program participation, to publish annual campus security reports, maintain crime logs, provide timely warnings of crimes that present a public safety risk, and maintain ongoing crime statistics.

FISCAL EFFECT: Unknown

COMMENTS: *Background.* Incidents in recent years at the UC and CSU – targeting students of color, and the Lesbian, Gay, Bi-sexual, and Transgender (LGBT) community, investigations of racial and ethnic discrimination, and how sexual assaults and violence have been handled – have greatly highlighted and brought more attention to the need for the UC and CSU to address climate challenges.

State response. Out of concern regarding recent campus climate issues at various campuses of higher education, in the past few years there have been several oversight hearings convened by this committee to look at campus climate issues. Additionally, in the 2013-14 Legislative Session, the Speaker of the Assembly created the Assembly Select Committee on Campus Climate; which convened several hearings in 2014 with the goal of continuing to strengthen overall campus climate for our postsecondary institutions of higher learning. This measure is a result of the Assembly Select Committee on Campus Climate Report of October 2014.

Segment responses. The UC seeks to create and nurture an atmosphere of respect and inclusion for all; in March 2014 the UC (after a two-year system wide survey), released its campus climate study. The study found many things, including, but not limited to the following: 1) 79% of all respondents were comfortable or very comfortable with the campus climate at UC, while 7% were uncomfortable or very uncomfortable; 2) more than half of all respondents thought that the

overall campus climate was very respectful or respectful of various races/ethnicities at UC; and, 3) more work must be done to address issues faced by certain groups – underrepresented minority respondents were less comfortable with the overall climate and workplace climate than were white respondents and other people of color and transgender respondents were less comfortable with the overall climate at their campus than were men and women respondents.

To note: 1) many UC campuses have hired staff focused on campus climate issues; 2) many programs are offered to reduce the impact of unconscious bias in hiring and promotions, and to identify and remove institutional barriers to inclusion and career development; 3) resource and student service centers have been established at many campuses for certain populations (such as undocumented students, veteran students, and LGBT students); 4) anti-hate initiatives exist at many UC campuses that seek to educate students; and 5) many UC campuses have student-led and cultural activities.

The CSU is committed to maintaining an inclusive community that values diversity and fosters tolerance and mutual respect. It is CSU policy to provide equal opportunity for all persons regardless of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, and veteran status.

The CSU has policies in place to help ensure that their students and faculty are protected; campuses must implement preventative education programs and make available victim resources, including comprehensive victim services. Information regarding these programs must be included in: 1) orientation programs for new students, faculty and staff; 2) training for students who serve as advisors in residence halls; and, 3) training for student athletes and coaches.

Additionally, on a campus by campus basis, the CSU has created an advisory body of non-CSU experts to advise and opine to the CSU how to strengthen and enforce existing policies, as well as advise if there is a need to create more policies that will allow the CSU to maintain its policy of protection for all.

Purpose of this measure. This measure is a result of the work of the Assembly Select Committee on Campus Climate. The author states, "In 2014, the select committee sought to examine public safety protocols and practices of California's higher education institutions while exploring solutions to encourage campus safety and promote healthier campus climates. The select committee's mission was to ensure that the state's college campuses are safe and welcoming environments for all students. As a result, the select committee held three hearings throughout California to examine policies and practices at campuses within a specific region. The fourth hearing was held at the State Capitol where recommendations were considered by the members of the select committee."

The author contends that, existing law does not specifically address campus climate and higher education. This measure would be the appropriate next step in creating some type of oversight of campus climate. The author states, "By requiring a report on recent developments on campus climate, the three segments of higher education would keep key policymakers informed about new and ongoing endeavors and developments in regards to campus climate. It would also offer

a level of oversight to ensure that progress is being made at California's public higher education institutions as they work to meet the needs of a changing demographic."

Policy consideration. As presently drafted, this measure requires the CCC BOG and the CSU Trustees, and requests the UC Regents, to include data in their respective campus climate reports as to the dollar amount that was spent on campus climate efforts. Committee staff understands that this requirement may be problematic for the segments to comply with because they currently do not collect or track budget data on campus climate in a way that would be meaningful to fulfill said reporting requirement. It is unclear whether or not some of the existing resources used for campus climate might have to be diverted in order to adequately track and monitor the amount spent for campus climate.

Moving forward, the author may wish to consider deleting the requirement to report on the amount spent on campus climate efforts.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Association of African-American Superintendents and Administrators
California Conference of the National Association for the Advancement of Colored People
One individual

Opposition

None on file.

Analysis Prepared by: Jeanice Warden / HIGHER ED. / (916) 319-3960