

Date of Hearing: August 30, 2026

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2551 (Elhawary) – As Amended July 2, 2026

SUBJECT: Equity in Higher Education Act: time, place, and manner policies: student code of conduct violations: open forum

SUMMARY: Requires the California State University and requests the University of California to do the following: (1) hold public forums on selected campuses to elicit student feedback regarding the institution's time, place, and manner policies; and (2) provide data on student code of conduct violations that occurred during or as the result of a protest on campus. Specifically, **this bill:**

- 1) Amends the annual reporting requirement for the California State University (CSU) on specific student code of conduct violations to include all student code of conduct violations and the discipline imposed due to violations that occurred, during or as the result of a protest on campus. Requires the reported student code of conduct violations and the discipline imposed due to violations during or as the result of a protest to be disaggregated by race and gender.
- 2) Requires the CSU and requests the University of California (UC), to do the following:
 - a) By December 31, 2027, hold an open forum on a selected campus to allow for student feedback on the content-neutral time, place, and manner policies. The forum will provide the space and time for students to express how they feel about the restrictions and the way the restrictions are enforced; and,
 - b) Notify the relevant policy committees of the Legislature of the time and location of the forum, as described above.
- 3) Repeals the requirement for an open forum to be conducted for feedback on the content-neutral time, place, and manner on January 1, 2028.

EXISTING LAW:

The Constitution of the United States of America.

- 1) Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people to peaceably to assemble, and to petition the Government for a redress of grievances (Amendment I of the Constitution of the United States of America; Bill of Rights ratified 1791).

Federal law.

- 1) Provides that recipients of federal funding must comply with the mandate that no person on the basis of race, color, or national origin be excluded from the participation in, denied the benefit of, or be subjected to discrimination in any federally funded program or activity (Title IV of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d et seq.).

The Constitution of the State of California.

- 1) Every person may freely speak, write, and publish his or her sentiments on all subject, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press (Section 2 of Article I of the California Constitution).

State law.

- 1) Requires the California Community Colleges (CCC), CSU and UC to adopt procedures and designate a person to take disciplinary actions against students, faculty, support staff, or administrators who have been found to have willfully disrupted the orderly operation of the campus. Establishes the adjudication process, as defined, for those who have been accused of willful disruption and permits the disciplinary actions to include dismissal, suspension, or expulsion (Education Code (EDC) Section 66017).
- 2) Prohibits higher education institutions from adopting or enforcing a rule that would discipline students solely on the basis of conducting speech that would be considered protected by the United States Constitution or the California State Constitution in an off-campus setting. Prohibits the institution from dismissing, suspending, disciplining, reassigning, transferring, or retaliating against an employee who protects student's right to peacefully protest (EDC Section 66301).
- 3) Requires the CSU and requests the UC to designate an individual to serve as a liaison between campus law enforcement agencies and students exercising their rights guaranteed under the first amendment to peacefully protest (EDC Section 66303).
- 4) No person participating in any program or activity conducted by any postsecondary education institution, that receives state financial assistance or enrolls students who receive state financial aid, is to be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any characteristic listed or defined in Section 11135 of the Government Code or any other characteristic that is contained in the prohibition of hate crimes defined in Section 422.6 subdivision (a) of the Penal Code, including immigration status (EDC Section 66270).
- 5) Defines "hostile environment" to mean unwelcomed conduct based on a person's actual or perceived race, color, ethnicity, national origin, religion, or disability status that based on the totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from a campus's education program or activity (EDC Section 66270.7, subdivision (a)).
- 6) Requires the Trustees of the CSU and requests the Regents of the UC to: (1) adopt and enforce student code of conduct policies pertaining to the prevention of hostile environments and the preservation of the exchange of ideas on campus; (2) maintain and enforce time, place, and manner restrictions; (3) respond to incidents that create a hostile environment on campus; and, (4) develop mandatory training programs for students pertaining to protests and the exchange of ideas on campus (EDC Sections 66270.7, subdivision (b) – (h)).

FISCAL EFFECT: According to the Senate Committee on Appropriations:

- 1) The UC estimates one-time General Fund costs of about \$100,000 to develop and implement a case management system to collect demographic data regarding student code of conduct violations. There will likely be additional, ongoing vendor maintenance costs that are unknown at this time.
- 2) The CSU estimates ongoing General Fund costs of \$200,000 to \$300,000 to contract with a vendor for student conduct case management. Additionally, there would be one-time General Fund costs of \$75,000 to \$100,000 to hold the student forum.

COMMENTS: *77.2 Hearing.* This measure was referred to the Assembly Committee on Higher Education for a 77.2 hearing as the content of the measure was amended on June 11, 2026, to include provisions germane to the jurisdiction of this Committee. The bill was previously heard by Assembly Committee on Health as the previous contents of the measure were relevant to the jurisdiction of that Committee.

Author's statement. The author expounds on the need for the measure as “due to the unintended consequences of prior legislation, students are most directly affected by time, place, and manner (TPM) restrictions and their enforcement, yet their perspectives are often overlooked. Various pressing concerns have been raised about TPM implementation, including the arrest of peaceful protesters, the disciplinary actions against student advocates and organizers, and the disproportionate impact of enforcement on students and faculty of color. By establishing committees and requiring student hearings in the California State University system, AB 2551 creates meaningful opportunities for students to contribute their thoughts and experiences in informing campus policy that affects their rights, safety, and lives on campus. This bill also promotes transparency and accountability by requiring collection of demographic data on TPM conduct violations. Data collection and student feedback are essential to empowering students and ensuring the equitable and consistent application of TPM policies. AB 2551 includes a sunset date of January 1, 2028, providing an opportunity to evaluate the effectiveness of this approach.”

Legislative response to hostile environments on California postsecondary campuses. For decades, college students have used protests to bring awareness and change to social issues impacting society at large. While mostly peaceful demonstrations of dissident, protests can turn violent and can cause emotional distress to those who possess counter viewpoints to the issue being discussed. In 2024, in the wake of the October 2023 terrorist events and the subsequent war in Gaza, students across the United States erected encampments and protested the war. For some campuses these protests were peaceful demonstrations; however, for others what began as peaceful devolved into violence.

In direct response to the protests and the rise of discriminatory actions by faculty, staff, and students on collegiate campuses in California, several bills were passed by the State Legislature. The intention behind the legislation was to clarify the responsibilities of postsecondary education institutions to provide campuses where educational access is protected and the free exchange of ideas is conducted in a manner that fosters civility and respect. The legislation did all of the following:

- 1) Required postsecondary education institutions to include a section on how to combat and address dissemination of specific groups in their antidiscrimination training or diversity, equity, and inclusion training (AB 2925 (Friedman), Chapter 844, Statutes of 2024);

- 2) Required annual notifications to students on the CSU and UC time, place, and manner policies (TPM), the procedures in place to address incidents that violate either the TPM or the student code of conduct, and the mental health resources available to students, faculty, and staff (SB 108 (Weiner), Chapter 35, Statutes of 2024); and,
- 3) Required the Trustees of the CSU and requests the Regents of the UC to: (1) adopt and enforce student code of conduct policies pertaining to the prevention of hostile environments and the preservation of the exchange of ideas on campus; (2) maintain and enforce time, place, and manner restrictions; (3) respond to incidents that create a hostile environment on campus; and, (4) develop mandatory training programs for students pertaining to protests and the exchange of ideas on campus (SB 1287 (Glazer), Chapter 892, Statutes of 2024).

AB 2551 (Elhawary) updates the statutes contained within SB 1287 to address concerns from students and faculty with how the TPM requirements and student code of conduct violations are being implemented by CSU and UC campuses.

SB 1287 (Glazer), Chapter 892, Statutes of 2024. As stated by then – Senator Glazer, the intention of SB 1287 was to “make sure that California universities are places where everyone can share their thoughts and ideas freely. We want to protect free speech and academic freedom while also preventing any form of harassment or discrimination. The need has been highlighted by incidents of antisemitism that have resulted from the October 7th terrorist attack in Israel. By having the higher education institution’s set clear rules and reporting systems, we’re making sure that universities can maintain an environment where everyone feels respected and can learn without fear of intimidation, harassment, or violence.”¹

In its final form, the measure:

- 1) Defined hostile environment and stated that both the CSU and the UC have the primary responsibility to address and prevent conduct that either creates a hostile environment or results in differential treatment of students based on a student’s actual or perceived race, color, ethnicity, national origin, religion, or disability status;
- 2) Required the CSU and requested the UC, to adopt rules and procedures in the student code of conduct that:
 - a) Prohibit violent, harassing, intimidating, or discriminatory conduct that creates a hostile environment;
 - b) Prohibits conduct that limits a person’s ability to participate in the educational programs or experiences offered by the campus; and,
 - c) Establish reasonable content-neutral TPM restrictions and if applicable any advance permitting requirements for protests on campus;
- 3) Required the CSU and requested the UC, to adopt rules and procedures to take reasonable steps to respond to any violations of the student code of conduct that create a hostile environment on campus;

¹ https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB1287#

- 4) Required the CSU and requested the UC, to publish the TPM on the campus's websites and to publish any advance permitting requirements for protests on campus;
- 5) Required the CSU and requested the UC, to develop mandatory training programs to educate students on the following:
 - a) What qualifies as conduct that results in a hostile environment on campus and the procedures that will ensue for violations of the student code of conduct;
 - b) When and where protests and gatherings may be held on campus; and,
 - c) How to exchange views in a manner that creates an atmosphere of mutual respect and civility.
- 6) Required the CSU and requested the UC, to mandate that all students acknowledge the campus's student code of conduct as a condition for enrollment; and,
- 7) Required the CSU and requested the UC, to submit an annual report to the Legislature on the implementation of the various requirements as listed above and to report on student code of conduct violations relating to hostile environments.

In their inaugural report, the CSU indicated they fully complied with the measure by (1) updating their TMP to outline how the university will respond to activities that violate the TPM or create a hostile environment on campus; (2) implementing a training program for all students beginning the 2025-2026 academic year; and (3) beginning in the 2025-2026 students will be required to acknowledge the student code of conduct via the student self-service portal.² The CSU further stated that: "the unfettered exchange of information and ideas is critical in learning and to a free society. The CSU is committed to ensuring that individuals and groups have wide latitude to lawfully exercise the right of free expression and that their constitutionally protected right to free expression is not abridged. Freedom of expression, however, is not absolute. It coexists with other rights and the need for public order and safety. The exercise of the rights of assembly and of freedom of expression must comply with all applicable federal, state and local laws, as well as university policies."²

The CSU provided a second report in December 2025, which provided further clarity on the content of the mandatory training for students, the acknowledgment the students were required to sign, and the number of violations to the student code of conduct relating to a hostile environment on campus. In the 2024-2025 academic year, the CSU had 201 violations of student code of conduct related to acts of violence, harassment, intimidation, discrimination, or actions that would create a hostile environment or would limit a person's ability to participate in the programs and activities on campus.³

As indicated in their 2026 report, the UC implemented the requirements of SB 1287 (Glazer). The UC did all of the following:

² <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/legislative-reports/Equity-HE-Code-Conduct-Violations-SB%201287-signed.pdf>

³ <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/legislative-reports/Student-Code-of-Conduct-Violations-Report-signed.pdf>

- 1) Issued new guidance in 2024 to provide clear direction regarding the university policies and procedures that protect both freedom of expression and the safety of the campus community;
- 2) Created and mandated that all students complete training on the civil discord on campus and what would constitute discrimination on campus;
- 3) Updated the UC's nondiscrimination policy to include sections on the scope of harassment that creates a hostile environment;
- 4) Requires students to attest to having read the student code of conduct prior to enrollment; and,
- 5) Issued notifications to students, faculty, and staff on the rights and responsibilities of being a member on campus.⁴

In the 2026 report, the UC indicated there were 53 violations of the student code of conduct that limited the ability for the free exchange of ideas; 14 disturbances of the peace or unlawful assembly; and four violations of the UC's antidiscrimination policy that constituted the creation of a hostile environment.⁴

Committee staff note that the CCC system was not included in the provision and therefore, data is not available as to how the 116 community colleges are addressing discriminatory incidents on campus.

Concerns with the enforcement of TPM. In 2026, a “lunch and learn” was hosted at the State Capitol regarding TPM on CSU and UC campuses. Student panelists shared their stories as to how their rights were violated in the name of TPM while participating in peaceful demonstrations and sanctioned protests on campus. The sentiments of the panelist were that TPM policies were not being used by the institutions in a content-neutral manner and were being used to target students who engage in any form of protest. SB 1287 (Glazer) did not create TPM on postsecondary campuses; however, it did require campuses to re-examine TPM as a tool to help curb hostile environments on campus. TPM and TPM enforcement was to be content neutral and to allow for all ideas to be exchanged and not be used as a tool to censor nor target ideology, cultures, or religions.

As stated in the 2024 Assembly Committee on Higher Education analysis for SB 1287 (Glazer):

Moving forward, the author may wish to include a requirement for the institutions to disclose the disciplinary sanction levied against the student to ensure the disciplinary action matches the severity of the student code of conduct violation.

The Committee may wish to examine if the behavioral restrictions of SB 1287 (Glazer) should only be applied to the most vulnerable population on campus who lack any additional forms of protections against accusations.⁵

AB 2551 (Elhawary) addresses concerns raised by the student panelists and the comments published in this Committee's 2024 analysis by requiring the CSU to disclose the student code of

⁴ https://www.ucop.edu/operating-budget/_files/legreports/2526/equity_in_higher_ed_legrpt.pdf

⁵ https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240SB1287#

conduct violations that occurred during or as the result of a protest, the disciplinary sanctions levied against the student due to the violations, and to disaggregate the data to ensure that specific groups of students are not being targeted or penalized unjustly. AB 2251 (Elhawary) further addresses the concerns and comments by allowing for open forums to be conducted to allow for feedback on how the TMP enforcement is directly affecting students.

Arguments in support. As stated by the California Faculty Association, “The state legislature adopted SB 1287 (Glazer - 2024) that, among other things, requires campuses to have TPM policies and budget language through SB 108 in 2024 that requires student notification of TPM policies and reporting to the state legislature. These bills have had unintended consequences on students and faculty and have unreasonably limited freedom of speech. These policies have led to students being disenrolled for nonviolent TPM and have impacted the number of protests on campus. The California legislature has an opportunity to send a strong message to college campuses and the broader community by taking steps to protect free speech on campuses. AB 2551 represents a good first step in assessing the impacts of recent TPM legislation and its impact on free speech.”

According to the Council on American-Islamic Relations, “while TPM regulations are legally required to be content-neutral, recent events have demonstrated that they are frequently weaponized to suppress specific political expression—particularly advocacy for Palestinian rights. Following recent campus protests, CSU administrations instituted sweeping, systemwide expansions of TPM policies. These new restrictions, which banned everything from encampments and temporary structures to the use of face masks, were implemented with zero consultation from student government or faculty associations. The result has been a chilling effect on speech, effectively making peaceful protest nearly impossible on campus. This aggressive enforcement is taking a severe toll on marginalized students. According to our 2024 Campus Climate Report, 49% of Muslim college students in California reported facing harassment or discrimination, and nearly a quarter reported being penalized simply for exercising their freedom of expression and assembly. We are seeing students subjected to doxxing, intense surveillance, and disproportionate disciplinary action. Without adequate tracking and oversight, vague TPM codes give administrators cover to selectively enforce rules against viewpoints they find inconvenient. AB 2551 provides a much-needed check on this overreach.”

Arguments in opposition. As stated by the California State University, Office of the Chancellor, “while the initial language in AB 2551 regarding the sunset of SB 1287 has now been removed, the CSU remains concerned that this bill will create uncertainty among our campus communities. The CSU has devoted substantial effort to reviewing and strengthening its policy governing time, place and manner of activities on campuses. These policies have provided clear, content-neutral expectations for conduct on campus, support the exercise of free expression rights, protect access to educational programs and services, and ensure the safety of students, employees and visitors. Universities have invested significant resources in policy development, training, communication and implementation to ensure these standards are understood and consistently applied. Each university maintains a time, place and manner team that routinely evaluates its campus policies and implementation. We share the author's interest in promoting transparency and accountability in the administration of campus policies governing expressive activity. However, we believe the existing framework provides opportunities for each campus community to share their perspectives, while maintaining a consistent application of the code of conduct and standards that should be adhered to in order to ensure an equitable opportunity for a safe learning environment.”

According to the University of California, Office of the President, “the University is concerned that the hearing process proposed in AB 2551 is duplicative of the University's existing and well-established channels for student input, engagement, and feedback. Students already enjoy open forum opportunities to provide public comment at Board of Regents meetings, participate in governance through the Student Regent positions, and engage directly with campus and system leadership through regular meetings and listening sessions. In addition, the University's civil rights infrastructure provides mechanisms for addressing students' concerns related to discrimination and harassment. Though recent amendments taken in the Senate Education Committee removed the language that would have repealed the requirement for UC and CSU to adopt TPM policies, the University continues to believe that this bill would create uncertainty regarding policies and requirements that were only recently adopted and implemented following the enactment of SB 1287 (2024)....The University remains committed to protecting freedom of expression while addressing discrimination, harassment, intimidation, and disruptive conduct. The University appreciates the author's interest in these important issues but believes AB 2551 is not an effective approach to advancing these shared goals.”

REGISTERED SUPPORT / OPPOSITION:

Support

1021 Jewish Workers for Justice
1021 Members for Palestine
Anti Police-terror Project
Bend the Arc California
Black Lives Matter California
California Behavioral Health Association
California Democratic Party
California Faculty Association
Church State Council
Council on American-Islamic Relations, California
Jewish Parents for Collective Liberation
Queers Undermining Israeli Terrorism
SEIU California
Students for Quality Education At California State University, Sacramento
University of California Student Association
Young Invincibles

Opposition

30 Years After
Adat Shalom - Los Angeles
ADL
Agudath Israel of California
AJC Los Angeles
AJC Northern California
AJC San Diego
Amcha Initiative
American Jewish Committee CA
Bay Area Jewish Coalition

Beverly Hills Synagogue
Board of Rabbis of Southern California
California Jewish Democrats
California State University, Office of the Chancellor
Contra Costa Jewish Democrats
Democrats for Israel - Los Angeles
Hadassah, the Women's Zionist Organization of America
Israeli-american Council
JCC-federation of San Luis Obispo
JCRC Bay Area
JCRC of the Sacramento Region
JCRC, Jewish Long Beach
Jewish California
Jewish Center for Justice
Jewish Community Action Network of Orange County
Jewish Family Service LA
Jewish Family Service of the Desert
Jewish Family Services of Silicon Valley
Jewish Federation Bay Area
Jewish Federation Los Angeles
Jewish Federation of Greater Santa Barbara
Jewish Federation of Orange County
Jewish Federation of Palm Springs & the Desert
Jewish Federation of San Diego
Jewish Federation of the Greater San Gabriel and Pomona Valleys
Jewish Federation of the Sacramento Region
Jewish Federation of Ventura County
Jewish Free Loan Association
Jewish Partisan Educational Foundation
Jewish Silicon Valley
Jews Belong Beach Coalition
JFCS East Bay
JFCS Long Beach and Orange County
JFCS Sf Bay Area
Northern California Council of Jewish Democratic Clubs
Northern California Jewish Labor Committee
Santa Barbara Hillel
Standwithus
University of California

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