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## SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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| <b>Bill No:</b>    | AB 2070       | <b>Hearing Date:</b> | June 6, 2018 |
| <b>Author:</b>     | Reyes         |                      |              |
| <b>Version:</b>    | April 9, 2018 |                      |              |
| <b>Urgency:</b>    | No            | <b>Fiscal:</b>       | Yes          |
| <b>Consultant:</b> | Lynn Lorber   |                      |              |

**Subject:** Postsecondary education: sexual assault and sexual violence prevention training: intimate partner and dating violence.

### SUMMARY

This bill requires outreach programming that is part of every incoming postsecondary education institution student's orientation to include informing students about specific topics relating to intimate partner and dating violence.

### BACKGROUND

Existing law requires, as a condition of receiving state funds for student financial assistance, the governing board of each community college district, the Trustees of the California State University (CSU), the Regents of the University of California (UC), and the governing boards of independent postsecondary institutions to:

- 1) Adopt a policy concerning sexual assault, domestic violence, dating violence, and stalking involving a student, both on and off campus. Existing law requires the policy to include specified components, including an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. (Education Code § 67386)
- 2) Adopt a detailed and victim-centered policies and protocols regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards. (EC § 67386)
- 3) Implement comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking. Existing law requires outreach programming to be included as part of every incoming student's orientation. (EC § 67386)

Existing law:

- 4) Requires the governing board of each community college district, the Trustees of the CSU, the Board of Directors of the Hastings College of the Law, and the Regents of the UC to each adopt, and implement at each of their respective campuses or other facilities, a written procedure or protocols to ensure, to the fullest extent possible, that students, faculty, and staff who are victims of sexual assault committed at or upon the grounds of, or upon off-campus grounds or facilities maintained by the institution, or upon grounds or facilities maintained by

affiliated student organizations, shall receive treatment and information.  
(EC § 67385)

- 5) Requires the governing board of each community college district and the Trustees of the California State University (CSU), and requests the Regents of the University of California (UC) to provide, as part of established campus orientations, educational and preventive information about sexual violence to students at all campuses of their respective segments. For a campus with an existing on-campus orientation program, this information must be provided, in addition to the required sexual harassment information, during the regular orientation for incoming students. (EC § 67385.7)
- 6) Requires each campus of the California Community Colleges and the CSU, and requests each campus of the UC, to post sexual violence prevention and education information on its campus website. Existing law requires the educational and preventive information to include all of the following:
  - a) Common facts and myths about the causes of sexual violence.
  - b) Dating violence, rape, sexual assault, domestic violence, and stalking crimes, including information on how to file internal administrative complaints with the institution of higher education and how to file criminal charges with local law enforcement officials.
  - c) The availability of, and contact information for, campus and community resources for students who are victims of sexual violence.
  - d) Methods of encouraging peer support for victims and the imposition of sanctions on offenders.
  - e) Information regarding campus, criminal, and civil consequences of committing acts of sexual violence. (EC § 67385.7)

**ANALYSIS**

This bill requires outreach programming that is part of every incoming postsecondary education institution student’s orientation to include informing students about specific topics relating to intimate partner and dating violence. Specifically, this bill:

- 1) Provides that “outreach programming” includes, but is not limited to, informing students about all of the following:
  - a) The warning signs of intimate partner and dating violence.
  - b) Campus policies and resources relating to intimate partner and dating violence.
  - c) Off-campus resources and centers relating to intimate partner and dating violence.

- d) A focus on prevention and bystander intervention training as it relates to intimate partner and dating violence.
- 2) Provides that informing students about “intimate partner and dating violence” includes, but is not limited to, information about violence that occurs between individuals with a current or previous intimate or dating relationship.

## STAFF COMMENTS

- 1) ***Need for this bill.*** According to the author, “Current law requires college campuses in the State of California, as part of their outreach and orientation programming, to discuss issues relating to sexual misconduct. These include, but are not limited to, the campus sexual assault policy, the affirmative consent standard, the rights and responsibilities of the student, and the variety of resources available. This mandated programming is currently not required to include key aspects to the conversations centered around dating and domestic violence, which often leads to greater forms of physical and sexual assault. This omission leads to a greater misunderstanding of what constitutes dating violence and can discourage victims from seeking assistance. While some college campuses certainly include interpersonal violence and dating violence education as a part of their orientation and outreach programming, it has yet to be something that is widely done by all campuses across California. Including code to mandate resource education and prevention training specific to these issues alongside the already state mandated sexual assault education, will help alleviate many of the problems and ensure consistency in education on the issues of interpersonal violence.”
- 2) ***What’s the difference?*** As noted in Comment # 1, existing law requires public postsecondary education institutions to:
  - a) Implement comprehensive prevention and outreach programs addressing *sexual violence, domestic violence, dating violence, and stalking*. Existing law requires outreach programming to be included as part of every incoming student’s orientation.
  - b) Provide, as part of established campus orientations, educational and preventive information about *sexual violence* to students at all campuses of their respective segments. (The University of California is requested to comply.)
  - c) Post *sexual violence* prevention and education information on its campus website, including *dating violence, rape, sexual assault, domestic violence, and stalking crimes*, and the availability of, and contact information for, campus and community resources for students who are victims of sexual violence. (The University of California is requested to comply.)

While existing law requires new student orientation to address sexual violence, domestic violence, dating violence, and stalking, and requires campuses to post sexual violence prevention and education information their websites (including

dating violence, rape, sexual assault, domestic violence, stalking crimes, and the availability of, and contact information for, campus and community resources for students who are victims of sexual violence), this bill expands the required components of student orientation to specifically include information about intimate partner and dating violence.

- 3) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose:
- a) Minor ongoing Proposition 98 General Fund (GF) cost pressures to California Community College campuses, and minor ongoing GF cost pressures to California State University and University of California campuses, to include information about intimate partner and dating violence in student orientation programming.
  - b) Minor ongoing costs to independent postsecondary institution campuses to include information about intimate partner and dating violence in student orientation programming.

**SUPPORT**

American Association of University Women  
California Partnership to End Domestic Violence  
California State Student Association  
California Student Aid Commission  
Los Angeles County Board of Supervisors  
National Association of Social Workers, California Chapter  
Student Senate for California Community Colleges  
University of California Student Association

**OPPOSITION**

None received

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