



2025

# Gender Equity Report

## Pursuant to AB 2048 (M. Fong, 2024)

California Community Colleges Chancellor's Office | Sonya Christian, Chancellor





# California Community Colleges

**SONYA CHRISTIAN**

Chancellor

December 22, 2025

**RE: Gender Equity Report**

Dear Governor and Legislative leaders:

As requested by the Legislature and pursuant to California Education Code Section 66281, the California Community Colleges Chancellor's Office has completed this report to the Legislature with recommendations for establishing systemic campus reforms that effectively prevent, detect, and address sexual harassment on community college campuses. This report fulfills the requirements of Assembly Bill 2048 (M. Fong, Chapter 694, Statutes of 2024).

Following the enactment of AB 2048 in October 2024, the Chancellor's Office convened a diverse group of stakeholders to examine current campus, district, and system-level practices and how they could be reformed and strengthened with fidelity. This Workgroup was championed by Board of Governors Past President Amy Costa and included current President Hildegarde B. Aguinaldo and other Board members, as well as representatives of community college trustees, CEOs, students, faculty, classified staff, and administrators.

We extend our gratitude to Assembly Higher Education Committee Chair Mike Fong and committee senior consultant Ellen Cesaretti-Monroy for their leadership, and to the California Legislature for its continued partnership in supporting our 2.2 million students. Most of all, we thank the dedicated practitioners who brought their expertise, candor, and compassion to this assessment. Their insights form the foundation for meaningful, sustainable reform. If you have any questions about the content of this report, please feel free to contact Workgroup chair, Vice Chancellor David O'Brien at [dobrien@cccco.edu](mailto:dobrien@cccco.edu) or (916) 323-5951.

Sincerely,

A handwritten signature in black ink that reads "Sonya Christian".

Sonya Christian,  
Chancellor

Enclosure: Report

CC:

CC: Erika Contreras, Secretary of the Senate

Sue Parker, Chief Clerk of the Assembly

Office of Legislative Counsel

Department of Finance

Members of the Assembly Higher Education Committee

Members of the Senate Education Committee

**Chancellor's Office**

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# GENDER EQUITY REPORT

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Prepared By

**California Community Colleges Chancellor's Office**



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# California Community Colleges Chancellor's Office

## GENDER EQUITY WORKGROUP REPORT

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### I. EXECUTIVE SUMMARY

California has long been at the forefront of educational equity. The Legislature has established a strong, values-driven commitment to preventing sexual harassment and supporting gender equity on college campuses. But the proliferation of statutes, despite their noble goals, exists within a system structurally incapable of delivering on their promises. Students and employees who want to report sexual harassment are faced with complex policy schemes forcing them to navigate not only the situation at hand, but five or more policies and multiple sets of regulations defining “unlawful harassment” versus harassment under Title IX, just to report their experience and understand what their options might be. The California Community Colleges’ Title IX<sup>1</sup> framework is not broken because of neglect of the legislature or colleges; it is broken as a result of defective design, underfunded implementation, and impractical oversight.

The Working Group’s review of Title IX operations across seven diverse colleges revealed a system weighed down by conflicting mandates, underfunded infrastructure, policy fragmentation, and bureaucratic inertia. Title IX practitioners across the state are ready and willing to do the work, but the systems intended to support them are instead thwarting forward progress. Instead of empowering campuses, California’s legislative and regulatory landscape, when overlaid with constant changes to federal law, has unintentionally constructed a compliance maze that is forcing practitioners to choose between what is legal, what is best practice, and what is even possible.

Rather than helping, the glut of California legislation impacting community college sex and gender equity has resulted in regulatory paralysis for campus-based Title IX administrators. For example, the process of policy change for California Community Colleges is cumbersome, onerous, and dysfunctional, leading to a lack of implementation. Despite the Legislature passing laws to help address sexual harassment, the colleges reviewed largely have not adopted policies that reflect Legislative changes made over the last five years, indicating that the inclusion of additional laws requiring new and additional policy changes will likely meet a similar fate. As a result of our assessment, the Working Group recommends a set of legislative fixes that provide resources and structural changes without enacting drastic new policy shifts that the colleges are not equipped to implement. The Working Group has also prepared recommendations that require neither legislative action nor significant costs to implement; however, it is important to note that structural change requires sustained state investment.

Our conclusions come after a searching assessment, while also recognizing that each campus is different, and that findings that relate to one may not apply to others or all. While we believe that the findings are reasonably generalizable based on the consensus of the Working

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<sup>1</sup> Including related and adjacent approaches.

Group that the colleges selected for assessment are a decently representative sample, it is impossible to determine that definitively without assessing all 116 colleges, which is outside the scope of this assessment. For the colleges we assessed, despite being legally required to comply, no single campus we reviewed had policies that were fully compliant with existing federal and state law. The sampled colleges had outdated or fragmented policies, often drawn from various templates, that were riddled with cross-references to documents that didn't exist, had never been adopted, or somehow just weren't accessible.

Since 2020, there have been several massive upheavals in the requirements of Title IX at the federal level, but beyond those changes in 2020, 2024, and 2025, California Title IX Coordinators have also had to keep pace with multiple changes in response requirements under California state law. These state laws often complement or expand upon protections afforded by federal law - but at times, they are patently inconsistent with federal law (whether cross-examination is conducted via an advisor during a live-hearing is a prime example). This is not just a procedural distinction, because which set of "rules" is being used could determine whether a student chooses to request an investigation, or not. Unfortunately, not only do Title IX Coordinators have to understand these nuances at the outset, but those who want to avail themselves of the processes available in the community colleges also need to understand them – and right now, the differences are buried in pages of bureaucracy and handfuls of different, but similar-sounding, policies or worse - not even written down.

Campus-based Title IX Coordinators reported that attempts to update policies were routinely stalled by district-level governance structures, administrative intransigence, or being buried in endless subcommittees. Thus, even when the policies were attempting to be thorough, it became challenging to update as new requirements come into effect. This creates a constant cycle of being out of compliance when new laws are passed or changed annually but policies are only updated every 3-5 years. For example, at the time of this review, the Consultants found that none of the sampled campuses had begun updating policies related to new state laws governing informal resolutions.

Even when institutions knew they were out of compliance, many were stuck. One college reported being forced to choose between following federal law and abiding by outdated district-approved policy. In practice, these policy inconsistencies serve as barriers for students and employees, especially those unfamiliar with legal jargon or who don't have access to institutional insiders who can help them navigate complex procedures.

The most pervasive theme was that of structural inadequacy. The majority of Title IX Coordinators surveyed spend only a fraction of their time on Title IX work, often balancing it with roles in student conduct, HR, disability services, or general compliance. Some are entire "offices of one" that are tasked with oversight, investigation, training, policy development, prevention, and compliance monitoring without administrative support or dedicated deputies.

This design flaw is not just inefficient but harmful. It leads to:

- Administrator burnout and turnover, further reducing continuity and expertise.

- Delayed or noncompliant investigations, risking liability and eroding trust.
  - A cycle of distrust was found amongst almost all the colleges assessed. Complaint resolutions take an unreasonable amount of time (even when outsourced), which then becomes known throughout the college community, and has the effect of depressing the willingness of students to report misconduct, harassment, and discrimination. None of the colleges surveyed had a volume of complaints that would be expected for a community college of that size. Thus, based on the knowledge above, one could deduce that the colleges are under-serving their constituencies, who know the college cannot be trusted to provide a prompt and equitable resolution to complaints.
- Despite statutory mandates, the lack of meaningful prevention programming results, in part, from limited resources which are in turn being used to react and address complaints.
- Inconsistent or inaccessible support for pregnant and parenting students, even with AB 2881 on the books.<sup>2</sup>

These issues are not signs of coordinator failure or indicators that there is one particular problem. They are evidence that California has layered onerous state mandates over ever-shifting federal obligations, thereby creating an impossible job for any single administrator, even if they were dedicated to Title IX compliance full-time, and had no other responsibilities.

As noted above, most campuses reported startlingly low numbers of formal complaints. On its face, that might suggest success of a kind. But every practitioner knows the reality: low numbers don't mean low incidence: they mean low trust. Students and employees don't report because they don't believe the institution can or will help them. This perception is worsened by experiences of inaction, delayed response, or confusing procedures. At one college, a report was filed — but never received by the Title IX office. At another, students were told to pursue Student Conduct options instead of Title IX, unless they insisted on a formal complaint; a practice that could amount to retaliation under federal law.

This is not a legal failure. It is a structural one. Without structural support, even well-meaning institutions become places where sex and gender-based harm is quietly endured rather than actively prevented and addressed.

Yet, structural support simply cannot exist without funding. These are problems that necessitate requisite expertise at either the local or Chancellor's Office level - if not both. Title IX Coordinators need additional access to not only legal, but also subject matter expertise, to effectively implement and administer the mandates. While California has been at the forefront of attempting to raise the floor of compliance on paper, the floor has not yet been raised – not because of a lack of will, but because of a lack of needed resources, including funding.

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<sup>2</sup> AB 2881 (Berman), Chapter 935, Statutes of 2022 - "Required each community college to provide priority registration for student - parents and to create a student-parent resource website."

California's laws were designed to protect people. But in combination, and without centralized coordination or resourced implementation, they have created confusion and operational paralysis. In some cases, state policies conflict with each other. In others, they duplicate federal requirements without regard to whether campuses have the personnel to meet them.<sup>3</sup> Coordinators find themselves navigating multiple laws and multiple interpretations of those laws, often without access to specialized legal counsel at the District or from within the Chancellor's Office, compliance officers, or support staff.

Perhaps the most tragic irony is this: the will to do this work exists. The people interviewed are deeply committed to supporting students and building safe, equitable campuses. But their talent and energy are trapped in a legislative system that asks too much, funds too little, and centralizes too little support. They are tired, frustrated, and feel isolated.

The current structure does not need minor reform. It requires reinvention. The recommendations of this report are not theoretical. They are the foundation of a functional civil rights infrastructure. Without them, California's commitments will remain symbolic rather than structural.

There is an historic opportunity not just to patch the current system, but to reimagine it. California does not lack commitment. What it lacks is a Title IX delivery system that is realistic, coherent, and resourced.

We urge policymakers to:

- Support/adopt systemwide baseline standards for local policies and procedures that ensure compliance, consistency, and accessibility.
- Mandate staffing minimums for Title IX offices; establish authority protections for Title IX Coordinators; require all colleges to name and fund full-time Title IX Coordinators (a role that can potentially be combined with compliance coordination, ADA/504 coordination, and Title VI coordination on some, smaller campuses); authorize appropriations to support campus-based Title IX offices to ensure compliance is achieved. These reforms will require sustained ongoing State Budget funding to implement.
- Create or authorize the creation of an External Resolution Authority (ERA) to provide shared investigation, hearing, and compliance support to all California Community Colleges, with annual appropriations to perpetuate this authority as a permanent solution. This will require dedicated State Budget funding, which could be ongoing or one-time if the ERA were established on a pilot basis.
- To create more opportunities for consistent resources and training and to maximize efficiency without sacrificing local control, create a systemwide Title IX coordination function within the Chancellor's office, to provide resources and training, to help colleges ensure compliance and accountability, to ensure quality control for the ERA,

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<sup>3</sup> See the attached appendix comparing the overlapping requirements of SB 493, Title IX, and the Clery Act.

to advocate for proper funding, and respect a balance between the goals of local control and quality control.

- Streamline, align, and collect state laws to remove conflicting mandates and clarify obligations. Because laws are not centralized or organized by topic, some colleges are not even aware of some legislative mandates.
- Invest in prevention infrastructure, in addition to enforcement capacity so that prevention efforts and resources do not become reallocated to response work.

California set out to create the gold standard. But without structural change, we are instead creating a Title IX compliance system where good intentions die in red tape and students are left unprotected. The time to act is now, before systemic failure becomes inevitable and irreversible.

## II. FINDINGS

A review of current Title IX practices across California Community Colleges reveals a host of systemic challenges that compromise compliance, undermine prevention efforts, and limit the effectiveness of institutional responses to sex-based discrimination.

**Noncompliant Resolution Practices** emerged as a significant area of concern. Facialy, the existing policies had many gaps with requirements under California and Federal law. But even when the policies seemed compliant in some areas on paper, multiple campuses described processes that do not align with federal Title IX regulations or California's SB 493 (Jackson, 2020).

In some cases, written policies have not kept pace with legal requirements, creating gaps between what the institution promises and what it delivers. More troubling, however, are practices that unintentionally subvert compliance altogether for example, by referring reports to other offices, including Human Resources or Student Conduct, rather than routing them through the Title IX resolution process. This practice affects both student and employee cases and undermines the integrity of Title IX protections. At least one Title IX Coordinator indicated that they have faced internal resistance to the formal investigation process, because it is a "waste of resources" based on the perception of previous cases resulting in a finding that policy was not violated. Another reported being discouraged from entertaining formal complaints by senior administrators who believe that having a high number of complaints is a problem that could harm the college's reputation. These sentiments reflect what could be a troubling misunderstanding of the legal obligation to investigate and the broader purpose of Title IX enforcement. Though single statements from isolated events at colleges may not be a reflection of the entire community college system, the understanding that this sentiment is being expressed at all is one of concern. These anecdotes should be seen as indicators of the need for more consistent training for senior administrators as stakeholders, not as proof that compliance is being ignored.

**Prevention programming and compliance-related education** also fall short of expectations. While training for Responsible Employees (called mandated reporters on some campuses, although not to be confused with state law requirements to report elder abuse and child

abuse, among others) is technically occurring, it is not thriving. Most Title IX Coordinators described efforts as reactive rather than proactive. A lack of coordination across the community college system further hampers effectiveness, with multiple colleges requesting a district- or system-wide calendar to better schedule and prioritize training events. The transitory nature of community college populations — both students and staff — adds to the challenge, making it critical that training be regularly repeated. In some cases, resistance to additional mandated trainings for either students or staff has further complicated the implementation of prevention efforts.

In terms of **barriers to reporting discrimination and harassment**, the colleges assessed showed a concerning pattern. Several of the assessed campuses report alarmingly low Title IX caseloads. While on its face, this may not seem concerning, experience tells us that low reports are not reflective of a lack of incidents, but rather the presence of underreporting. The low reporting may signify that reports aren't happening if students and employees lack faith in the process or the office's capacity to address reports competently and effectively. Colleges that build a culture of reporting through barrier analysis and dismantling of systemic impediments see significant upticks in the willingness of community members to report concerns. Colleges that are not intentional about this see reporting slumps. Delays in case resolution contribute to this perception, with some campuses having a documented history of exceptionally slow response times. In one particularly problematic instance, a submitted report was never received by the Title IX office, fueling mistrust and confusion about where and how to report. Again, because community colleges experience a more transitory population than traditional four-year colleges, the speed of investigation and resolution matters, complaints need redress before one or more parties is no longer affiliated with the college.

**Policy clarity** remains an ongoing challenge. Faculty and staff members often report uncertainty about procedures, and inconsistent policy numbering across campuses further exacerbates confusion. According to the Coordinators, students express feeling “overwhelmed,” “embarrassed” and unsure where to turn or what the complaint resolution process entails. Despite these challenges, a bright spot emerged at one institution that implemented a mobile app, which led to a noticeable increase in reporting and may offer a model for scalable innovation across the system. The use of a tool to streamline reporting created an uptick in incidents reporting, and this single instance underscores our conclusion that many campuses are underserving their communities through a confusing labyrinth of reporting options. If the use of an app increases reporting, that means many complaints are pent up and might be made if community members trusted the process and had better access to reporting resources. Another bright spot that should be noted is that many of the colleges we assessed are doing an excellent job of providing supportive measures to those who come forward to report. This is a crucial aspect of Title IX response, and one at which the Coordinators tend to excel.

Lastly, many campuses have not conducted **climate surveys**, and several Title IX Coordinators appeared unaware that a reporting gap might even exist. In 2022, a federal task force was commissioned to create a nation-wide, standardized campus climate survey tool that would be required to be conducted every two years on college campuses. Once this was announced, many colleges halted regularly scheduled climate surveys and paused

administering new surveys until this federal template was released. Based on recent shifting of federal agency priorities, there is no reason to believe that this survey will be issued in the near term. Among those who have attempted to measure campus climate, most have relied on general campus-wide surveys not tailored to Title IX-specific concerns. This limits the potential to even use a climate study as a baseline in determining barriers to reporting or as an opportunity to identify potential strategic improvements.

Overall, the current Title IX infrastructure in the California Community College system is fragmented, under-resourced, and highly inconsistent. Decentralized governance, outdated policies, insufficient staffing, and unclear oversight structures have left campuses ill-equipped to manage Title IX obligations effectively. Students, staff, and faculty experience disparate levels of support and protection depending on their district or college, undermining equity and compliance statewide, which has created barriers to seeking support. Here, the transitory nature of community college populations can work to our advantage, in that trust can be rebuilt, and new students entering college may not be aware of the legacy of compromised compliance, if we can turn it around with diligent efforts over the coming years. The process of reform may take years to achieve across all campuses, but the result can be a community college system that is a national model for collaboration, consistency, and the efficacy of Title IX and related compliance efforts.

### **III. RECOMMENDATIONS**

In light of the systemic challenges documented across campuses, including noncompliant resolution practices, fragile prevention efforts, and structural barriers to reporting, the Working Group recommends a comprehensive reimagining of how Title IX functions within the CCC system. These recommendations are designed not only to ensure compliance with federal and state law but also to restore confidence in the resolution process and reinforce the system's commitment to equity, safety, and accountability.

#### **A. DEVELOP BASELINE STANDARDS FOR POLICIES AND PROCEDURES**

The current patchwork of inconsistent, outdated, and often noncompliant policies has created, and then exacerbated, confusion while undermining effective response. The Working Group discussed the proper role of the Chancellor's Office in overseeing administrative policies and procedures for civil rights-based discrimination and how to ensure consistency across districts. A model policy would encompass Title IX, but also Title VI, Title VII, and Title VIII (if applicable), as well as various California statutes. As far as a mandate, the Working Group discussed a variety of approaches, and the consensus was that rather than mandate adoption of a systemwide set of model policies and procedures, the Chancellor's office would release a set of baseline standards for campus and district policies and procedures, consistent with AB 2048. By partnering with colleges and system associations through issuing these baseline standards and providing the accompanying technical assistance, the system office could enhance and support current processes rather than replacing or duplicating them.

To that end, for any college that wants to use the resources of the proposed External Resolution Authority (and access the funding for such a resource – see Recommendation B.1), the college must have incorporated the baseline standards published by the Chancellor's Office into its policies and procedures, and have committed to updating them at least

annually and in the event of a required update based on state or federal changes. Any resolution sought by a college from the External Resolution Authority must be done under a set of policies and procedures that is aligned with the most recent version of the baseline standards to have been disseminated. This approach addresses the need for the California Community Colleges system to have more uniformity among policies and procedures in a way that respects local control and does not create an unfunded mandate, but instead, creates an opportunity for greater consistency and equity across the system.

Baseline standards should provide that local policies, at a minimum:

- Be legally vetted and updated regularly (at least annually) by Title IX compliance experts, to ensure alignment with federal regulations and California law.
- Include best practices for policies and procedures in addition to alignment with federal law.
- Be flexible enough to account for individual campus structures while ensuring core compliance.
- Streamline procedures, such as the structuring of appeals, when permissible under state and federal law.
- Include standardized numbering and terminology to allow for ease of navigation and updating across the state.
- Include a prevention plan for the campus

We recognize that even these minimum, baseline standards may invite potential conflicts with existing collective bargaining agreements and local shared governance models. While we recognize the importance of respecting the principles of shared governance, we also understand that the effectiveness of the proposed baseline standards and the External Resolution Authority will rely on consistent implementation across the state. As such, each campus and district will need to work with their stakeholders to ensure continued alignment with CBAs, local governance, and state law. To that end, the Working Group recommends that the Legislature consider mandating the baseline standards.

## **1. Monitoring Effectiveness and Compliance**

While the effectiveness of and compliance with state laws must be addressed, the Working Group is reluctant to recommend policy audits or the creation of a compliance report without the implementation of some of the other recommendations. These would turn out to be unfunded mandates and another “box” to check, that shifts the focus away from the colleges’ response to sexual misconduct and would further slow the resolution of pressing complaints. In the future, ongoing external assessment would be a more effective approach.

## **2. Transparent Reporting Protocols**

In order to ensure meaningful reporting requirements, such as the issuance of an “annual report” from each of the 73 districts, there must first be some unification, such as through the

External Resolution Authority (discussed below) or the adoption of baseline standards for local policies and procedures (discussed above). Without that, any sort of reporting protocol would likely be comparing apples and oranges.

Once those changes have been made, the emphasis should be holistic in nature and not focused on any one specific metric. For example, an increase in incidents reported could be indicative of a need for more prevention programming, but could also be a signal that the structure is working because more people feel comfortable coming forward. Reporting requirements should therefore include several metrics and be reviewed by someone with expertise, rather than being only focused on the bottom line.<sup>4</sup>

Some factors for consideration could be:

- The number of incidents reported
  - Overall and broken down by type
- The number of formal complaints signed
- The number of complaints that are resolved via a live-hearing
- The number of Informal Resolutions entered into
- The number of supportive measures provided
- The type of supportive measures provided
- The number of students trained
- The number of employees trained
- The average length of the investigation process from the signing of a complaint to the determination
- Outcomes could be provided, but only when the data would not reveal any identifiable information about parties to the grievance resolution process

Elsewhere in this report, we have recommended a system-level Title IX official position. The data collection and reporting addressed in this section will make the most sense when a centralized administrator can establish a template for reporting, a timeline for reporting, and compile an annual aggregate report to system administrators from the data culled from each campus/district. This also allows for greater accountability from the system office (the Chancellor's Office) to the Legislature and the Governor's administration.

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<sup>4</sup> SB 1166 (2024) imposes reporting requirements that start in December 2026 and overlaps with many of the reporting requirements suggested here and requires the Chancellor's Office to post the reports as provided on the Chancellor's website and for a summation to be provided to the Legislature.

## B. ESTABLISH STRUCTURAL MODELS FOR TITLE IX OFFICE INFRASTRUCTURE

On the whole, our assessment of the seven colleges conducted under the Working Group auspices revealed a picture of mixed experience with Title IX. In the past 15 years, we have seen four different federal administrations introduce various tools to meet the priorities of the administration, and on top of that, California has kept the pinball bouncing around the machine by adding additional compliance requirements separate and in addition to those issued by the federal government. Thus, even though the Title IX coordinator position has often historically been tacked on as “other duties as assigned,” the need for Title IX practitioners with requisite knowledge, experience, and expertise is somewhat new and the amount of time, energy, and training dollars required to reach that expertise is substantial.

Overall, the policy efforts of the Coordinators on these campuses was earnest, and if they failed to achieve industry standards with respect to policies, it was not for lack of trying. While many reasons inhibit achievement of compliant policies, we are confident that with the right tools and institutional support, Coordinators are capable of righting the policy ship.

Similarly, we found that Coordinators are adept at the implementation and tracking of supportive measures. They offer a wide range of flexible measures, which are valuable and effective. Variations between campuses are not extreme, and there is a strong consistency across different institutions.

Where Coordinators struggle most is in two areas: case management and prevention efforts. Unfortunately, what the surveyed Coordinators revealed is that they are barely able to tread water when it comes to keeping up with case management; thus, they lack any capacity to take on more (or any) significant prevention efforts. Because of this, our assessment recommends external solutions, as detailed below. We also note, however, that many of the colleges already outsource investigations, hearings, and appeals, and have not found that the piecemealed solutions have resulted in the prompt and effective resolutions sought by the Title IX Coordinators and required by state and federal law. The work product is too slow, the individuals providing services are too unfamiliar with Title IX, and lacking in the subject matter expertise needed to get Title IX cases right. The Working Group spent considerable time understanding this challenge and determining how to best address it. Our recommended course of action below largely aligns with solutions that the Colleges’ Title IX Coordinators Consortium has been recommending and embracing for the last five years, to no avail.

In short, we are recommending a more fulsome outsource program, rather than the piecemeal approach many of the colleges currently take, which they report often requires more work and oversight from them, not less. They report that the quality of work product is not acceptable, and that coordinating multiple different firms and resources can be chaotic and inefficient. Instead of providing the colleges with yet another labor source, the Working Group has elected instead to recommend an External Resolution Authority (ERA), funded by the Legislature through the State Budget and available to all the colleges, that provides full case management so that Coordinators do not need to do so. (At the Legislature’s discretion, the ERA could be a pilot program with a requirement for the system office to evaluate its outcomes and issue a report recommending whether to continue it or not.) The ERA would thus provide two layers of function, rather than the single layer that colleges currently use. The ERA will be staffed by a set of administrators who accept assignments of complaints from coordinators, and fully case-manage those complaints from as early as intake (or more

commonly, at the point of investigation) fully through the final appeals, managing all industry standard steps in between.

This approach will finally and functionally eliminate the administrative burden on coordinators that is impeding complaint resolution, increase efficiency, and improve case outcomes, while also mitigating perceptions of bias and conflicts of interest. It will also significantly free up college-level staff to spend intentional time working on prevention efforts. The ERA will not just case manage, but will provide trained, experienced subject matter experts for all roles within the resolution process (investigators, hearing officers, appeal officers, advocates, advisors, hearing facilitators, informal resolution facilitators, etc.). In some cases, the ERA can outsource some of these functions to currently contracted law firms, but with greater oversight, attention to timelines, and training for those providing services, to ensure they meet industry standards. Local control is still preserved in this model, because all complaint resolutions are referred back to the college in the form of recommendations, to be reviewed internally and implemented. This does not remove the coordinator entirely from complaint resolution, as the Working Group intends for coordinators to ensure that outcomes are compliant, which is an essential aspect of their roles under federal regulations.

## **1. Outsourced External Resolution Authority (ERA)**

To address persistent issues of understaffing, lack of specialization, and isolated Title IX practitioners, we recommend the development of an External Resolution Authority for those schools that adopt the system's baseline standards for policies and procedures. The colleges would have the option to use this ERA or decline to use it. They could also opt to use it for some complaints, but not all. The Working Group intends for the ERA to be able to resolve complaints not just under Title IX, but under Title VI, Title VII, Title VIII, and the ADA/504, if desired, as well as complaints based on state non-discrimination laws. It could even be used for student and employee conduct complaints, if desired. The Working Group has not proposed a funding model for the ERA but asks the Chancellor's Office and State Legislature to determine how best to support this pressing need financially. While this will require dedicated resources in the State Budget, in many cases colleges are already spending six to seven figures a year on outsourcing resolutions, so the ERA may result in statewide cost savings.

Centralizing determinations in this model will help to ensure consistency of outcome and of sanctions across system colleges. The Working Group notes, however, that this model has been used elsewhere, and it commonly causes an uptick in reporting, over time, as word spreads and community confidence grows in the colleges' ability to achieve independent, fair outcomes. Thus, any funding should anticipate a potential doubling of complaint volume for the colleges in the first five years that the ERA is in place. Similarly, any pilot of the ERA for the colleges should be built not in anticipation of the current volume of complaints being seen by the colleges, but in anticipation of a more robust volume that will likely become the new normal once college communities embrace proof of this concept and its use becomes widespread across system colleges. While cost increases will result from increased complaint volume, the ERA model also represents an opportunity for cost savings by centralizing with a single vendor, by reducing turnover, by sharing resolution infrastructure across as many as 116 colleges, and by employing a unified methodology for complaint resolution

that benefits from scale and volume.<sup>5</sup> Additionally, a benefit of the ERA model over other models considered relates to turnover concerns that impact every college, but were notable for colleges that had trouble retaining or recruiting Title IX staff members. With the ERA, the authority will not only be able to provide the colleges with external expertise, but should any college need short-term staffing to fill gaps in internal positions, the ERA will be able to provide well-trained interim administrators with the requisite expertise to ensure program continuity until positions are filled long-term.

This model allows for the sharing of best practices, reduces disparities in Title IX response quality across colleges/districts, and provides necessary staffing relief for colleges unable to maintain full-time, qualified Title IX (VI, VII, VIII, etc.) personnel on their own. It ensures continuity of complaint resolution processing as positions turn over, and will offer colleges access to trained interim staffing, as needed. Importantly, this model frees up campus-based resources to focus on campus presence-related needs, such as intake and training, prevention efforts, addressing pregnancy-based needs, equitable facilities access, etc., ensuring that the ERA remote structure does not result in further detachment or confusion for students and employees seeking support. The Working Group also contemplated the possibility that the ERA could offer on-campus presence as needed, but that would require a more robust funding/staffing model.

## 2. Minimum Staffing and Authority Standards

Regardless of structure, we recommend that the Legislature codify minimum staffing requirements and authority levels for Title IX offices, **provided that adequate budget funding is allocated in the State Budget to support this staffing**. Under this proposal, at a minimum, every college would be funded to maintain a Title IX Coordinator who:

- Is dedicated 100% to the role, or shares the role only with similar other compliance/non-discrimination imperatives;
- Has direct access to executive leadership (through direct reporting structure or a “dotted line” reporting structure);
- Maintains authority over investigations and remedies;
- Has access to an electronic file management system or database;
- Is supported by administrative support staff;
- Is supported by at least one deputy or trained designee to ensure coverage and continuity; and,
- Has protected time and resources to fulfill prevention, training, and compliance responsibilities.

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<sup>5</sup> The ERA concept is not intended to push aside the law firms that are currently providing resolution services to the colleges, but instead will be the coalescing entity that ensures each of these firms serves the system with unified methods, standardized approaches, conscientious deadlines, and uniform quality of work product.

Without these guarantees, campuses will continue to triage cases reactively rather than develop a culture of prevention and trust by proactively engaging in proven prevention programming like bystander training, peer educator development, consent education, and more. If the ERA model proposed earlier is not adopted, the Chancellor's Office and the Legislature will need to reexamine the required staff for campus-based Title IX offices to conduct case management.

While the above bullets do not specify front-line prevention obligations, the Working Group found that not all California Community Colleges operate prevention programming under Title IX auspices. This is in line with national trends that see prevention programming housed in various places across colleges and universities. That being said, the Working Group felt it essential to call on policymakers to support prevention staff and appropriate fund these essential positions. Prevention is the cornerstone of creating a safe and equitable campus environment. Title IX coordinators are currently overburdened with response and compliance duties, leaving little bandwidth for developing robust prevention programs. This systemic issue requires structural solutions and dedicated resources. Investing in prevention is not only cost-effective in the long run but also crucial for creating a healthier campus climate for all.

## **C. CREATE STANDARDIZED AND CENTRALIZED ACCESS TO TRAINING FOR TITLE IX PROFESSIONALS**

The findings make clear that training across campuses is inconsistent, reactive, and often insufficient. Title IX Coordinators are navigating complex legal and procedural landscapes with little coordinated support. We recommend the establishment of a standardized training curriculum for all Title IX personnel — including investigators, decision-makers, advisors, and informal resolution facilitators. This training would be certified and facilitated by the Chancellor's Office Title IX liaison or director (see below).

This curriculum should:

- Be developed and delivered at the systemwide level, with required participation and annual recertification cycles,
- Include modules on trauma-informed practices, cultural competency, due process, and California-specific legal requirements (e.g., SB 493, Title 5),
- Be flexible enough to offer both virtual and in-person options, with regional delivery when needed.

Specialized training for mandated reporters and hearing officers (including Skelly hearing officials) must also be systematized, addressing gaps in procedural understanding and accountability identified across campuses. Likewise, training for those tasked with developing and implementing effective prevention programs should also be required.

## D. EXPAND SYSTEMWIDE SUPPORT AND OVERSIGHT

Campuses are currently left to interpret and implement Title IX compliance with minimal oversight or assistance. To remedy this, **we recommend that the Legislature provide sufficient funding and authority for the Chancellor's Office to establish a full-time Title IX system liaison or director**, possibly under the Office of Civil Rights proposed by the System Budget and Legislative Request approved by the Board of Governors in September 2025. This individual should be a subject-matter expert who can:

- Provide technical assistance and legal updates,
- Coordinate systemwide training and communication for Title IX team members and prevention specialists,
- Serve as a compliance check and sounding board for campus-level concerns,
- Facilitate annual assessments, coordinate annual reporting requirements, monitor accountability for policy compliance, and implement peer or external reviews of Title IX operations at colleges, statewide. This should also include some annual review of data provided with respect to prevention, although the Working Group recognizes that this may overlap with the Annual Security Report required by federal law and thus, does not wish to duplicate efforts or create an additional report.

This role would bridge the gap between state leadership and local implementation, offering consistency, accountability, and strategic direction.

## E. ADDITIONAL RECOMMENDATIONS TO THE LEGISLATURE

### 1. Align Conflicting State Requirements

Current inconsistencies between state laws and regulations (such as Title 5 timeframes versus SB 493 provisions) create confusion and hinder lawful implementation. We recommend that the Legislature initiate a **comprehensive reconciliation and collection of existing statutes and regulations**, to ensure internal coherence, ease access/comprehension, and avoid forcing institutions to choose between conflicting mandates. In the appendices, we have provided a chart showcasing how complex some of these intersections between various state and federal obligations can be.

### 2. Training for all personnel involved in faculty and staff related disciplinary proceedings

Because disciplinary hearings, including Skelly hearings, are increasingly being used to adjudicate employee-related Title IX cases, the legislature should mandate training on Title IX, due process, and equitable resolution for all personnel involved in the disciplinary proceedings for faculty and staff, including Skelly hearing officers and union representatives, for all colleges provided with additional funding pursuant to these recommendations.

Without this training, these hearings risk undermining the integrity and compliance of the overall response process, by overturning campus findings without valid cause or equitable processes.

### 3. Break Down the Siloed Approach to Civil Rights Compliance

Title IX cannot be addressed in isolation. Students and employees experience overlapping forms of discrimination, and the resolution of one type often intersects with others. The Legislature may wish to require that the Chancellor's Office adopt a **comprehensive, unified framework** for civil rights enforcement across California's community colleges. This might include best practices, training, technical assistance, and other support around:

- Integrated policies for Title IX, Title VI (race/national origin), Title II/Section 504 (disability), and other relevant laws.
- Unified/integrated investigative models that recognize intersectional harm.
- Consolidated prevention and education programming rooted in equity and inclusion.
- If this report's ERA proposal is not adopted, the colleges will need access to comprehensive training on informal resolution facilitation, agreements, and outcomes, as well as access to high-quality training for investigators, hearing officers, and advisors.

By reinforcing cross-functional alignment, the system can better protect its communities and meet the full promise of civil rights law.

These recommendations reflect a growing urgency to not only address compliance deficiencies but to **restore confidence, legitimacy, and accessibility** to college Title IX offices across the state. Our findings show that students and employees alike are losing faith in these systems. The time is now to restructure, reframe, and reinvest in Title IX — not as a legal obligation alone, but as a foundational commitment to the safety and dignity of all Californians.

## IV. OTHER AREAS TO REVIEW

While the Working Group has focused on responding to allegations of sexual misconduct within the California Community College system, there are other areas of concern that are related that the Working Group did not have the ability to fully address but still wanted to note for future consideration, including athletics, gender identity, and protections for pregnant and parenting students. However, another topic – prevention efforts – is also a larger concern that is within the scope of AB 2048.

### PREVENTION

Despite California's leadership in establishing robust legal standards, its community colleges are struggling to meet the spirit—let alone the letter—of state prevention mandates. At the heart of this challenge is the chronic overextension of Title IX coordinators. In the CCC system, Title IX professionals are often tasked with a wide range of responsibilities beyond Title IX alone. Most serve in dual or even triple roles having additional responsibilities in human resources, student conduct, disability services, compliance, and overseeing other civil rights concerns. These additional duties, while critical to the functioning of the college, take time and energy away from proactive Title IX work, especially prevention, when the only prevention-focused practitioners are also serving as Title IX coordinator.

Prevention is not a one-time training. It is not a check-the-box workshop delivered during new student orientation. Effective primary prevention that mitigates the frequency of misconduct requires sustained, coordinated, campus-wide programming that is strategically developed, culturally responsive, and continuously assessed. It requires partnerships with student life, counseling services, athletics, faculty, and peer educators. It demands a long view—developing campaigns, evaluating climate, training trainers, and building student leadership pipelines. It cannot be reactive. It is inherently proactive. Prevention is especially challenging in community college settings and may require some level of curricular integration. Students are not always on-campus when programming is offered, they maintain irregular attendance and interaction with college resources, and they cannot be dosed over an extended period with prevention content the way students can be at four-year, residential institutions. Their participation in online programming efforts is spotty, at best. That said, prevention efforts for residential community college students can and should look different than that which is provided for non-residential students.

Yet Title IX Coordinators in the colleges assessed by the Working Group are rarely given the time, support, or resources to do anything other than react. For many, the day is consumed by investigation deadlines, formal grievance procedures, and legal compliance tasks that leave insufficient bandwidth for prevention. Even when Coordinators are deeply committed to proactive education, the structure of their role simply does not allow for it.

This is not a matter of neglect, but of institutional design.

California's statutory framework, particularly SB 493, offers a vision of campuses that are not just compliant, but safe, equitable, and inclusive. Prevention is central to that vision. But just because something is codified doesn't mean it is automatically going to happen. Community colleges must begin to reimagine the Title IX function—not just as an enforcement role, but as a public health role. This shift demands investment.

That investment includes:

- **Dedicated prevention staff** with public health, education, or community engagement expertise.
- **Harness the power of a system.** Why reinvent the wheel more than 100 times on different campuses? Campaigns can be centrally designed and distributed to the colleges, as can assessment tools. Training for prevention program facilitators can also be centralized and facilitated from a common playbook. This will enhance resource efficiency and maximization of prevention efficacy.
- Sustainable funding for ongoing programming, not just one-time grants or pilot efforts, prioritizing best practices that include Train the Trainer webinars, virtual summits, or in-person conferences rather than online self-directed pre-packaged training. This should include required training for all employees that is mandated by state law and required training for certain at-risk student groups, including housing, student government officials, residential students, athletes, or others who could benefit from tailored training.
- **Structural support**, such as integration of prevention into strategic plans, Title IX policies, and student success initiatives.
- **Reduced silos** between Title IX, Student Equity, Basic Needs, Mental Health, and Campus Safety which should often be spearheaded by the Title IX Coordinator.

Absent these investments, even the most well-intentioned coordinators will struggle to fulfill their college's prevention responsibilities. In the California Community Colleges system, where Title IX professionals are often working in isolation or within understaffed compliance offices, prevention becomes aspirational rather than operational. The coordinators have the will, but not the tools, to make prevention efforts comprehensive and effective.

*The Working Group Offers this report with an important caveat - the change contemplated by the Legislature, and suggested through this research, can only happen with modest but substantial investments from the State. California's community colleges and Chancellor's Office have both long been underfunded relative to their peers in higher education. While some of these suggestions are specifically notated as requiring investment from the legislature, it is critical to emphasize that this is a universal underpinning of the recommendations from this report.*

## APPENDIX: WORKING GROUP CHARTER

### CALIFORNIA COMMUNITY COLLEGES GENDER EQUITY WORKGROUP CHARTER/ OVERVIEW

#### Mission Statement

As a subgroup of the Equal Employment Opportunity & Diversity Advisory Committee (EEO DAC), the Gender Equity Workgroup (Workgroup) will develop guidance to prohibit sex-based discrimination in any education program or activity and promote gender equity, ensuring that California Community Colleges provide a safe, inclusive, and non-discriminatory environment for students, faculty, and staff. This guidance will also include processes for complaints that are clear to all community college stakeholders.

#### Meeting Frequency

Will vary depending on the time of launch and expected completion date. This workgroup will result in a final report with policy recommendations to the Board of Governors and the Legislature, which will likely be mandated by statute (AB 2048) and due to the Legislature no later than December 1, 2025. Chancellor's Office staff will also provide written and verbal updates to the BOG and Legislature (especially if AB 2326) is chaptered.

#### Workgroup Deliverables

##### Evaluation and Alignment:

- Evaluate Title IX policies at a sampling of community college districts to determine whether they align to recommended best practices for promoting gender equity and deterring sex-based discrimination. Additionally, the evaluation of policies should identify whether or not roles and responsibilities among Title IX coordinators and advocates are clearly defined and if not, how could they?
- Solicit feedback from districts about any potential barriers or hurdles to best practices at their campuses (e.g. funding, staffing)
- Align Title 5 regulations, as well as recommended changes to California statute, with Title IX to streamline the handling of both types of complaints and ensure that California gender equity protections remain robust regardless of future changes to Title IX that might weaken protections for students.
- Consider the implications of the vulnerability of Title IX regulations under the *Loper Bright* case (ending *Chevron* deference) and the possibility of a new Administration redefining the role of the federal Department of Education in enforcing Title IX.

## **Guidance and Training:**

- Develop model Title IX policies and procedures promoting gender equity to ensure that educational institutions provide a safe, inclusive, and non-discriminatory environment for everyone including available resources for complainants and respondents, handling complaints and investigations, monitoring and reporting. Additionally, the workgroup shall recommend strategies for ongoing professional development opportunities for Title IX coordinators.

## **Technical Assistance and Accountability:**

- Explore the need for ongoing technical assistance for districts to ensure Title IX best practices are updated.
- Propose a mechanism for the Legislature and/or Chancellor's Office to monitor compliance, including but not limited to, reporting and audits.
- Review adequacy of policies and procedures for complaints against campus leaders, campus Title IX coordinator, and district governing board members.
- Consider effective approaches to disciplinary sanctions.

## **Workgroup Membership<sup>6</sup>**

1. David O'Brien, Vice Chancellor of Government Relations, CCCCO, **Chair**
2. Amy Costa, Past President, CCC Board of Governors, **Executive Sponsor**
3. Dr. Linda Vazquez, Assistant Vice Chancellor of Government Relations, CCCCO
4. Gina Browne, Vice Chancellor of Program Operations and Strategic Initiatives, CCCCO
5. Dr. Abdimalik Buul, Visiting Executive of Institutional Equity, Innovation and Strategic Impact, CCCCO
6. Hildy Aguinaldo, President, CCC Board of Governors
7. Adrienne Brown, CCC Board of Governors (Faculty Representative)
8. Casey Chang, CCC Board of Governors (Student Representative)
9. Wendy Brill-Wynkoop, Past President, Faculty Association of California Community Colleges

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<sup>6</sup> The original Working Group was expanded to include additional members beyond the 15-member group called for in the original charter, including student representatives and additional Title IX coordinators. This list includes members who had to transition off the Working Group due to personal/professional career changes, as well as those who joined later as replacements or substitutes.

10. Dr. Angela Medina Rhodes, Professor of English, Rio Hondo College
11. Dr. Erika Endrijonas, President, Santa Barbara City College
12. Andra Hoffman, Trustee, Los Angeles Community College District
13. Kristal Padilla, Community College League of California
14. Dennis Curran, Associate Superintendent/Vice President of Finance and Administration, Allan Hancock College
15. Christopher Sweeten, Vice President of Student Services, Santiago Canyon College
16. Cindy Ordaz, CSEA Classified Representative, Santa Monica College
17. Brittany Grice, J.D., Vice President of Human Resources, Glendale Community College
18. Samantha Folb, Title IX/Civil Rights Compliance Officer, Cabrillo College
19. Dr. Kristen Corey, General Counsel, State Center Community College District
20. Brett Sokolow, J.D., TNG Consulting
21. Kayleigh Baker, J.D., TNG Consulting
22. Justin Salenik, Senior Legislative Representative, CCCCO
23. Dr. LaToya Jackson, Director of Diversity, EEO & Title IX, Sierra College
24. Janet Sosa, Deputy Title IX Coordinator/EEO and Employee Relations Investigator, Sierra College
25. Dena Massey, Deputy Title IX Coordinator/EEO and Employee Relations Investigator, Sierra College
26. Amber Eckert, Title IX Coordinator, San Diego Community College District
27. Karen Dubert, District Director of Employee Relations & Title IX Coordinator, South Orange County Community College District
28. Ellen Cesaretti-Monroy, Senior Consultant, Assembly Committee on Higher Education

Fermin Villegas, CCCCO Deputy General Counsel, will serve as legal counsel to the Workgroup.

The first meeting of the Workgroup will involve Assembly Higher Education Committee consultants presenting the major findings of the 2024 [A Call to Action](#) report.

## **Staffing**

1. A contractor will be hired to provide staffing support, including:
  - A. Identifying Title IX best practices
  - B. Surveying and conducting analysis of Community College policies.
  - C. Developing working group agendas
  - D. Identifying panelists for presentations to workgroup
  - E. Preparing draft working group recommendations

## APPENDIX: LEGAL FRAMEWORKS

When the Working Group first convened, CCC was subject to various federal regulatory regimes with respect to Title IX. On August 1, 2024, most CCC schools were required to implement the 2024 Title IX Regulations that were issued in April 2024. However, a number of schools were still subject to the 2020 Title IX Regulations because of an injunction issued in the U.S. District Court of Kansas. Early conversations of the Working Group were focused on trying to navigate the overlap and inconsistency between the two sets of federal regulations, in addition to the overlaps and inconsistencies that were created when considering state law. The added complication was that throughout the fall, additional CCC schools were added to the injunction. Some districts had schools that were subject to the 2024 regulations and others were subject to the 2020 regulations.

These conversations were mooted in January 2025 when a Kentucky judge vacated the 2024 Regulations as unconstitutional. At that point, all CCC schools were required to comply with the 2020 Title IX Regulations.

The 2020 Title IX Regulations prescribe strict procedural requirements for instances of “sexual harassment” that occur within a school or district’s education program or activity; however, campuses have other federal and state obligations for complaints of discrimination that fall outside of the narrow jurisdictional requirements of the 2020 regulations.

Federally, employees are protected from sex discrimination by Title VII of the Civil Rights Act. This law prevents sex discrimination, including sexual harassment that is severe or persistent or pervasive and objectively offensive – a lower bar than the Title IX standard. Similarly, Title VIII of the Civil Rights Act, also known as the Fair Housing Act, provides a similar level of protection to residential students.

One additional source of obligation came from Senate Bill 493 in 2021. SB 493 provided a set of requirements that, in many ways, work in concert with the 2020 Title IX regulations for a larger set of behaviors. If the 2020 Title IX regulations set the floor of compliance, SB 493 tried to move toward the ceiling of best practices by defining affirmative consent, adding some additional requirements and protections, particularly for students. SB 493 applies to all postsecondary institutions in California that receive state financial assistance.

Key provisions include:

- **Broader Definitions:** SB 493 defines sexual harassment more broadly than the federal regulations. For example, it does not require that the conduct be “severe, pervasive, and objectively offensive” to constitute harassment, making it easier for students to report and institutions to address behavior.
- **Jurisdiction:** It requires institutions to respond to off-campus or off-program conduct if it impacts the educational environment
- **Standard of Evidence:** SB 493 mandates the use of the preponderance of the evidence standard in all proceedings, whereas Title IX allows institutions to choose between that and the clear and convincing standard (so long as it’s used uniformly across all comparable proceedings).

- **Advisor Role and Process Protections:** While SB 493 borrows some procedural protections from Title IX, such as notice and hearing opportunities, it does not mandate cross-examination by advisors during live hearings in the same manner Title IX does.
- **Conflict of Interest and Training:** Institutions must provide training for all personnel involved in grievance procedures and ensure independence and impartiality throughout the process.

Additionally, the California Code of Regulations governs the California Community Colleges and outlines specific requirements for addressing unlawful discrimination, including sexual harassment, under both state and federal law. These mandates largely existed before the passage of SB 493, but SB 493 provided new protections and mandates without considering the intersection with Title 5.

Key points:

- **Mandated Grievance Procedure:** Title 5 requires community colleges to adopt detailed and accessible complaint procedures for discrimination and harassment complaints. These must include investigation timelines, informal resolution options, and a clear process for appealing decisions.
- **Mandatory Reporting and Timely Response:** College employees are generally mandated reporters, and the regulations require timely and prompt responses to allegations of misconduct.
- **Notification and Prevention Requirements:** Institutions must provide regular training and widely disseminate their anti-discrimination policies. There is a strong emphasis on ensuring access and awareness for all members of the campus community, particularly those with limited English proficiency or disabilities.
- **Remedies and Corrective Action:** Remedies for complainants and corrective action against respondents must be appropriate and tailored to restore access to the educational environment.

SB 493 and California Title 5 intersect with Title IX in their mutual aim to protect students and employees from sex-based discrimination and sexual misconduct in educational settings, but California law often goes further:

- **Broader Scope of Protection:** SB 493 and Title 5 provide protections that exceed those required under federal Title IX with respect to behaviors and jurisdiction
- **Procedural Flexibility:** While Title IX 2020 regulations mandate a specific grievance process including live hearings and cross-examination, California law permits institutions to use more flexible, trauma-informed approaches that still maintain procedural fairness.

- **Preemption Considerations:** Because Title IX is federal law, it sets a floor but not a ceiling for institutional obligations. California institutions must comply with Title IX while also adhering to the more expansive requirements of SB 493 and Title 5. Where there's a conflict (e.g., regarding the advisor's role in cross-examination), institutions must comply with both laws to the extent possible.
- **Policy Development and Compliance Challenges:** For institutions, the intersection of these laws necessitates a layered policy structure. Schools must craft policies that satisfy Title IX's mandates while ensuring they do not undercut the broader rights and protections afforded under California law. This includes dual training tracks, careful policy drafting, and clear communication to students and employees about their rights and reporting pathways.

Notably, Title 5 requirements extend beyond instances of sex discrimination; however, neither Title IX nor SB 493 speak to discrimination on the basis of other protected classes. That being said, many CCC schools have one person who serves as the point person over all forms of discrimination thus, the same individuals are responsible for being familiar with other laws such as Title VI, Title VII, ADA, and more.

## APPENDIX: METHODOLOGY

During the Working Group meetings, it was determined that TNG Consulting would conduct research on behalf of the Working Group in three primary phases:

1. Benchmarking Survey
2. Policy Review
3. Individual Meetings with Title IX Coordinators and Stakeholders on campuses

Prior to beginning the research, the Working Group determined that in order to conduct the research in a timely manner, a sampling of schools would need to be selected. During the Working Group meetings, various factors were discussed, and it was determined that the sampling of schools should be comprised of various schools with different features related to:

- School size
- Geographic location (Northern/Southern, Rural/Urban, Coastal/Mountainous, etc.)
- Athletics
- Housing
- Population of students
- Districts versus individual schools

After consulting with the Chancellor's Office and the Working Group, the TNG Consultants identified five individual colleges and one district to meet the factors established above by the Working Group:

- Bakersfield College
- East LA College
- Orange Coast College
- Riverside College
- Shasta College
- Foothill-DeAnza Community College District
  - Foothill College
  - DeAnza College

## PHASE I

Following the creation of the list of sample schools, TNG, with input from the Working Group and the Chancellor's Office, created the Benchmarking Survey.

The Benchmarking Survey was designed to be completed by the Title IX Coordinator at each of the selected schools. The questions were broken down to capture insight into various components of the position:

- General/background
- Staffing and Title IX Team
- Resources/Budget
- Prevention Programming/Partnerships
- Training
- Intake/Notice/Initial Actions/Supportive Measures
- Resolution
- Policy/Procedures

Once the initial draft of the survey was created, the Working Group reviewed and proposed edits prior to finalization. In all, approximately 100 multiple choice questions were created on a Likert scale. The Benchmarking Survey was sent to the named Title IX Coordinators at the sample schools for completion in January 2025.

All seven coordinators completed the benchmarking survey. In the questionnaire, the coordinators were also asked to upload policies and procedures that relate to sexual misconduct as well as organizational charts.<sup>7</sup>

TNG assessed the Benchmarking Survey and noted several findings:

- 5/7 spend only a portion of their time on duties related to Title IX
  - Those in this category spend between 5%-40% of their time related to Title IX matters
- The tenure of Title IX Coordinators ranged from short-term (7 months) to long-term (14 years)
- The positionality of the role varied (Dean, Director, VP, District-level administrator, all were indicated)

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<sup>7</sup> Not all Coordinators uploaded their policies. In those instances, for Phase II, TNG based the policy review on posted materials and followed up during the Individual Meetings to ensure the appropriate policies were reviewed. When necessary, this resulted in a re-review.

- Most reported in some way to Human Resources
- All responding coordinators used a mix of internal and external individuals for investigations, and most used external individuals as Decision-makers

The survey revealed that there are some strong points for CCC. These primarily relate to the initial response and access to supportive measures. Most respondents indicated that they have a range of ongoing primary prevention efforts that they are integrated with their CARE or Behavioral Intervention Team, that they generally conduct some level of climate survey at regular intervals (though they are general as to climate, and not specific to Title IX or California law requirements), that they have confidential resources available, they have an amnesty policy, and generally provide supportive measures to students regardless of whether a formal complaint is filed – including individually tailored no contact orders when appropriate.

Three or more respondents indicated that they “disagreed” or “somewhat disagreed” with the following:

- That they had adequate time to oversee and coordinate all aspects of Title IX
- That they had sufficient trauma-informed training
- That they had sufficient resources for their own training and professional development
- That they had sufficient resources for the training and professional development of their staff
- That they had adequate substitute/alternate personnel
- That they had enough investigators
- That they had enough Decision-makers
- That they had enough staff
- That published a VAWA brochure
- That they had a gender-equity barrier analysis protocol in place
- That they were following timelines established in policies

There were also overall concerns about having processes that were clear and several best practices related to policy were not met by three or more institutions.

Following the Benchmarking Survey, the results were reviewed by the Working Group prior to the initiation of Phase II and Phase III.

## PHASE II

Most coordinators provided their policies and procedures during Phase I; however, when they did not, the Chancellor's Office pulled policies and procedures from the institution's website for the Working Group to review.

For the Policy Review, TNG created a checklist of over 200 factors consistent with federal law, state law, and best practices to review against every individual policy. TNG evaluated whether each factor was met, partially met, or not met. Additionally, TNG assessed the policies holistically to determine whether the policies were accessible and understandable.

During Phase I, all seven coordinators indicated that they had a policy that defined California Sexual Harassment, Sexual Violence, and Sexual Exploitation. The results of the policy review were not as decisive.

During the policy review, TNG determined that the sampled CCCs were, by and large, out of compliance with multiple facets of federal and state law. Some of these factors related to individual aspects of noncompliance (such as a failure to address all applicable federal rights laws) or failure to meet best practice (for example, none of the reviewed policies defined 'violence' although many of the policies prohibited 'dating violence').

Beyond an overall lack of complete or substantial compliance for the policies vis-a-vis state and federal law and best practices, a few concerns stood out:

- One institution's website contained a policy that had not been updated since 2020
- One institution's policies and procedures cross-referenced a policy that was not included in the District's policy page – potentially signaling that it was not adopted or had been rescinded. The remaining policies and procedures did not comply with the 2020 Title IX Regulations.
- Most institutions had multiple policies that related to sexual misconduct that were difficult to navigate and intersected in ways that likely serve as a barrier to understanding what policies and procedures apply when and to whom.
- The policies were piecemeal and often related to one type of conduct "Title IX" without recognizing that the existing legal framework overlaps in many ways. It is hard to imagine how a student or employee trying to navigate these policies would understand them without substantial assistance.

## PHASE III

Following the policy reviews in Phase II, efforts were made to meet with each of the Title IX Coordinators. During these attempts, TNG was met with multiple "out of office" emails for the coordinators. These did not reflect that the practitioners were on a well-deserved vacation, but instead, that they were inundated with emails and may be slow to respond. These messages gave the appearance that these were standard, run-of-the-mill default responses that were sent to everyone.

Additionally, one coordinator resigned from their position between Phase I and Phase III. Multiple attempts were made to have a meeting with the designated replacement; however, no meeting was ever scheduled. Individual Meetings were held with the coordinators at the remaining colleges. One coordinator brought additional stakeholders to the meeting; however, the rest of the meetings were solely between TNG and the Title IX Coordinator.

Throughout the benchmarking process, participating colleges consistently identified deep, structural challenges in their Title IX and gender equity operations.

### **Lack of Sufficient Staffing and Infrastructure**

Across nearly all campuses, Title IX responsibilities are assigned to individuals who wear multiple administrative hats – often simultaneously serving in unrelated roles. Several institutions reported that their Title IX operations are essentially “offices of one,” with no dedicated investigator, prevention specialist, or compliance analyst. This arrangement has led to widespread concern about burnout and diminished capacity to maintain federally and state-mandated timelines and standards. Coordinators routinely reported that reactive work, such as responding to complaints eclipses proactive efforts like prevention, training, or climate assessment.

### **Noncompliance in Employee-Related Cases**

A notable concern raised by multiple colleges involved the addressing of student complaints against faculty or staff members. In many cases, once the accused party is identified as an employee, the matter is referred to Human Resources without any live hearing, opportunity for cross-examination, or due process protections as outlined in the Title IX regulations. Title IX personnel often conduct initial intake and provide supportive measures, but are excluded from subsequent steps. In several cases, participants acknowledged that these processes do not comply with federal or state mandates. Students may be left without meaningful participation in investigations, and the outcomes of these processes are not always transparent or timely, which is not in alignment with federal or state law, and risks meeting the definition of retaliation under pertinent federal regulations (34 CFR §106.71).

### **Other Areas of Noncompliance**

In addition to the concerns that complaints involving employees are not being addressed in alignment with law, there was at least one college that indicated that student cases were also not in compliance. This institution indicated that they had very few complaints and, instead, when they receive reports, their practice is to refer those reports to the Student Conduct Office unless someone wants the Title IX process (as indicated by them filing a formal complaint). While this, on its face, may seem like a reasonable interpretation of the federal Title IX process, it could constitute retaliation. This understanding may result from a lack of consistent training, but it certainly is not in line with legal requirements or best practice.

### **Outdated or Delayed Policies and Procedures**

Several colleges noted that their Title IX or sexual misconduct policies had not been updated to reflect the requirements of SB 493 or the 2020 Title IX regulations. In some

cases, policy revisions were initiated years ago but stalled as a result of district-level review processes, subcommittee bottlenecks, or leadership turnover. Even when local campus experts identified necessary changes, those revisions were often met with bureaucratic resistance or deprioritized amidst other district obligations. Multiple colleges indicated that they had policies drafted by external consultants; however, they could not get through the administrative hoops necessary to get them approved and implemented. This resulted in some colleges making the choice between following existing policies or complying with federal and state law.

### **Insufficient and Inconsistent Training**

While many coordinators personally pursue professional development opportunities, access to formal, ongoing training remains inconsistent. Several participants reported going over a year without a substantive training opportunity as a result of scheduling, funding, or workload constraints. Others noted that training was often generalized or non-specific to California's unique legal landscape. Some emphasized that newer or reassigned personnel are especially vulnerable to this training gap, resulting in steep and unsupported learning curves.

### **Over-Reliance on a Few Individuals**

Even where campuses had better resourcing, decision-making, investigations, prevention programming, and policy revision efforts were often concentrated in a single person or a very small team. Staff turnover or extended absences create significant risk for continuity and compliance, as well as key person risk when a coordinator leaves their role, and there is no deputy trained to fill-in. Additionally, campus leaders are not always aware of, or engaged in, the legal and procedural requirements that Title IX and related laws impose, further isolating practitioners who are already working at capacity.

### **District-Level Structures Often Create Delays**

In multi-college districts, participants frequently expressed frustration with the disconnect between campus-level needs and district-level control. Several colleges reported that efforts to revise policies, secure funding, or implement compliance systems were hindered by delays or differing priorities at the district office. In some districts, HR reorganization or administrative restructuring removed key supports such as deputy coordinators or college-based liaisons, with no replacement provided. This has led to a vacuum of capacity and uneven compliance across colleges within the same district.

### **Housing and Campus Size Impact Caseloads, But Not Complexity**

While at least one college with on-campus housing reported significantly higher volumes of sexual misconduct reports, the numbers still were not as high as expected. Still, as more colleges explore the prospect on-campus housing there will almost certainly be an uptick in Title IX-related work that is often complicated by after-hours incidents, roommate dynamics, and the need for supportive measures. These institutions noted that their Title IX staffing levels did not reflect these elevated service demands. At the same time, smaller or commuter campuses reported lower numbers of formal complaints but expressed similar concerns around workload, especially given the expectation that Title IX work be addressed in addition to other job responsibilities.

## Need for Centralized Guidance and Model Practices

Multiple participants expressed strong interest in systemwide model policies, shared investigative templates, streamlined training pathways, and uniform data tracking expectations. There was broad consensus that the current decentralized model leaves colleges vulnerable to noncompliance and inconsistencies. Participants were clear that they are not seeking a “one size fits all” solution, but rather centralized resources that can be adapted to local contexts. Ideally, this would be supported by the Chancellor’s Office and aligned with both federal and California law.

## APPENDIX: BACKGROUND AND LEGISLATIVE MANDATE

The California Community College (CCC) System is a made up of 73 community college districts and a total of 116 community colleges. The CCC Chancellor's Office, as well as the System overall, is overseen by the Board of Governors. In Spring 2023, the CCC serves over 1.2 million students and that number has continued to rise.<sup>8</sup>

While there are some similarities to some of the other institutions in California, the CCC schools prioritize local control. Each of the 116 colleges is led by a chief executive officer (a Chancellor for a multi-district college and a Superintendent/President for a single-college district) and by its locally elected governing board. While the colleges and districts are required to comply with state and federal law, in addition to regulations established by the Board of Governors, this has not been historically monitored by anyone within the CCC.

In 2023, the California State Assembly Committee on Higher Education and the California State Senate Committee on Education commissioned *A Call to Action*, a synopsis of fact-finding briefings and proposals from various California postsecondary institutions in response to preventing sex discrimination on college campuses.

Initial observations and concerns were raised with respect to compliant policies, sufficient personnel, inconsistent training, potential instances of widespread institutional betrayal, and an overarching concern that institutions, and therefore the California Community College system, were failing their various stakeholders.

A series of bills were passed in 2024 related to the effort to address these concerns. One bill, AB 2048 (M. Fong), Chapter 694, Statutes of 2024, directed the Chancellor of the California Community Colleges to convene a working group and submit recommendations to the Legislature by December 1, 2025. The bill calls for the creation of systemic, enforceable reforms that will prevent, detect, and address sexual harassment and gender-based discrimination across California's 116 community colleges. AB 2048 mandates specific recommendations in five areas, including uniform policies, compliance monitoring, transparent reporting, staffing and training, and statewide support mechanisms.

In fall 2024, the CCC Chancellor's Office convened a Working Group made up of various stakeholders, as noted above on page 23. Ellen Cesaretti-Monroy, Senior consultant to the California Assembly Higher Education Committee, also was made available to the working group. Brett Sokolow, J.D., Chair of the Board of TNG Consulting, LLC and Chair of the Advisory Board of the Association of Title IX Administrators (ATIXA) served on the Working Group as an external consultant as did Kayleigh Baker, J.D., Senior Consultant at TNG Consulting, LLC, who led the research on behalf of the Working Group.

As one of the oldest and largest safety-minded consulting firms serving the education space, TNG Consulting has served thousands of colleges and universities. TNG's team includes esteemed leaders in higher education risk management, bringing valuable experience from community colleges, private institutions, technical colleges, and universities of all sizes. TNG Consulting partners with ATIXA, the Association for Title IX Administrators, an independent member organization that serves over 19,000 active members and offers 45 training and

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8 *A Call To Action Report*, p. 7

certification courses. ATIXA has certified more than 75,000 Title IX and civil rights practitioners since 2011.

The Working Group met a total of eight times between October 2024 and November 2025.

# APPENDIX: PROPOSAL FOR AN OUTSOURCED EXTERNAL RESOLUTION AUTHORITY FOR CALIFORNIA COMMUNITY COLLEGES

## OVERVIEW AND PURPOSE

This proposal outlines the framework for a dedicated, adequately funded, outsourced, external, statewide hub for the formal grievance processes related to civil rights compliance within California's Community Colleges. The purpose of this ERA is to provide professionalized, compliant, and impartial resources to address complaints under Title IX, Title VI, Title VII, Title VIII, ADA/504, state law, and related civil rights complaints, from intake through resolution, in coordination with the Title IX Coordinators at each college or district.

This external effort would reduce the burden on individual colleges and districts and increase efficiencies of scale, while ensuring consistency, quality, and legal sufficiency across the state. It would also empower district and college employees to focus on the things that they are already succeeding at – providing support to students and employees, while providing higher quality complaint resolution, a task at which the colleges struggle.

## CORE OBJECTIVES

- Centralize, professionalize, and ensure consistency in the response to civil rights complaints across California's Community College system.
- Ensure compliance with state and federal regulations (e.g., Title IX, Title VI, Title VII, SB 493, etc.).
- Create equitable, trauma-informed, and timely resolution processes for all parties.
- Provide scalable access to external investigators, adjudicators, advisors, advocates, and education programs.
- Enable cost-sharing among colleges, districts, and potentially the Chancellor's Office, to promote access and equity.

## KEY FEATURES OF THE ERA

### 1. Structure and Funding

- Entity Type: Independent, created through legislative action directly or by legislative empowerment of the Chancellor's Office.
- Oversight: Annual reporting to a body of representatives from participating colleges, civil rights experts, and student/community stakeholders.
- Funding Model: Tiered annual membership fees based on institution size and complaint volume; annual funding could be provided through the legislature or the Chancellor's Office.

## 2. Scope of Services

- Conduct full-service Title IX formal grievance processes: intake, supportive measures (in coordination with the colleges and district), and then external investigation, live hearing facilitation, decision-making, and appeals.
- Address grievances under Title VI (race/color/national origin), Title VII (employment discrimination), and Section 504/ADA complaints, as appropriate, along with any protected class discrimination complaint and collateral misconduct.
- Offer interim Title IX or Title VI Coordinator services during staff vacancies or leaves.
- Provide advisors, process facilitators, and decision-makers as needed.
- Maintain an external investigator and hearing officer roster, compliant with due process requirements and impartiality standards.
- Deliver or coordinate sanctions-related education programs for respondents, including efforts at rehabilitation.
- Offer referral access to advocacy and support services for complainants and respondents.

## 3. Staffing and Vendor Criteria

The authority shall have a centralized administrative staff to ensure efficient, prompt case management and to manage the authority. The entity chosen for this managerial role shall have the following qualifications:

- **Grievance Process Experience:**
  - Demonstrated capacity to conduct or coordinate each stage of the Title IX formal grievance process in alignment with industry standard, trauma-informed, compliant practices, and show a proven track record of managing a complaint volume exceeding 500 investigations, annually. The ability to scale to more than 1000 investigations annually must also be shown.
  - Substantial experience with civil rights investigations and resolutions under SB 493, Title 5, Title IX, Title VI, Title VII, Title VIII, ADA/504, and other relevant laws.
  - Prior experience as Title IX Coordinators, Deputy Coordinators, or similarly situated roles.
  - The demonstrated capacity to staff a significant (hundreds of complaints per year) volume of investigations, hearings, appeals, and informal resolutions.
  - The ability to staff advisor roles for parties to complaints, as needed.
  - The ability to offer both complainant advocacy and respondent support services through trained, dedicated professionals.

- The ability to facilitate a variety of forms of informal resolution, including negotiated resolutions, restorative justice, mediation, shuttle diplomacy, etc.
- The capacity to offer one-on-one mentorship to lesser offenders, as part of remedial efforts.
- The capacity to manage potential conflicts-of-interest and avoid overlapping roles that might create impermissible conflicts.
- The demonstrated long-term ability to complete a high volume of resolutions in alignment with institutional timelines for prompt resolution.
- The demonstrated ability to coordinate with more than 100 potential clients simultaneously, to keep Title IX Coordinators apprised of progress, and to consult as needed to ensure local control, shared governance, and incorporation of the local culture and mission imperatives of each individual client college.
- The ability to offer a dashboard that allows each client to have instant information about the status of all of the college's complaints being managed by the external authority.
- Integration with each college's Clery Act compliance and VAWA §304 compliance imperatives.

- **Leadership:**
  - The executive director or lead administrator should possess at least 7 years of experience managing civil rights compliance systems, preferably in higher education.
  - The entity should have proven expertise managing contract staff and vendors and ensuring timely completion of work per client deadlines. This should be demonstrable.

#### **4. Vetted Vendor Network:**

- The authority will maintain an approved list of external investigators, hearing officers, and decision-makers, and other roles, while ensuring quality standards through close case management oversight and specific training in due process, trauma-informed practices, and cultural competency.
- The authority will have the capability to contract with law firms or consultants where appropriate, under the centralized framework, and will be responsible for overseeing their work product, timeliness, and proficiency.
- The authority will liaise with college representatives regularly and as necessary to ensure that local control is respected. All outcomes issued by the authority will be subject to college approval.

## 4. Programmatic Access and Support Services

- Must offer access to evidence-based intervention and education programs for respondents found responsible, such as restorative justice models or misconduct education programs.
- Must maintain an up-to-date network of advocacy organizations for complainant and respondent referrals.
- Should explore partnerships with on-campus or community-based support services to provide wraparound services to parties and continuity of care.

## 5. Accountability and Outcomes Reporting

Require the Chancellor's Office, if the ERA is authorized and funded, to issue a one-time report after a specific period of time, evaluating the effectiveness of this model at meeting the requirements of AB 2048 and the *A Call to Action* report.



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