

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 935 (Ransom)
Version: May 5, 2025
Hearing Date: July 1, 2025
Fiscal: Yes
Urgency: No
AWM

SUBJECT

State agencies: complaints: demographic data

DIGEST

This bill requires specified state entities to collect and publish information relating to complaints of prohibited discrimination, and to transmit that information to the to-be-established Bureau of Descendants of American Slavery (Bureau) for publication on a public dashboard created by the Bureau.

EXECUTIVE SUMMARY

Current law requires the Superintendent of Public Instruction (Superintendent), the Department of Education (DOE) and the Civil Rights Department (CRD) to collect complaints of allegations of prohibited discrimination, including harassment, intimidation, or bullying, on the basis of the victim's protected characteristic(s).

This bill is intended to implement one of the recommendations of the Task Force to Study and Develop Reparation Proposals for African Americans (Task Force) by providing more transparency into the complaints of discrimination filed with the DOE and CRD and their resolution. Specifically, the bill requires the Superintendent and the CRD to collect, and the DOE and the CRD to publish specified information relating to complaints received, and also requires the DOE and CRD to transmit that data to the Bureau. The Bureau will then publish the data on publicly available dashboards. The author has agreed to minor amendments to enhance the privacy protections for the individuals involved in the complaints.

This bill is sponsored by the author. The Committee has not received timely opposition to this bill. If this Committee passes this bill, it will be referred to the Senate Education Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that it is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic contained in the definition of hate crimes in Penal Code section 422.55, including immigration status, equal rights, and opportunities in the educational institutions of the state, and that no person shall be subjected to discrimination on these enumerated bases in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid. (Ed. Code, §§ 200, 220.)
- 2) Requires the Superintendent to establish and implement a system of complaint processing, known as Uniform Complaint Procedures, for processing specified types of educational complaints, including the filing of complaints that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group identified under 1) and 3), or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution that is funded directly by, or that receives or benefits from, any state financial assistance. (Ed. Code, § 33315.)
- 3) Establishes the CRD, which, among other things, receives, investigates, conciliates, mediates, and prosecutes complaints alleging a violation of specified laws, including:
 - a) The Unruh Civil Rights Act (Civ. Code, § 51);
 - b) The Ralph Civil Rights Act (Civ. Code § 51.7);
 - c) Statutes protecting the rights of individuals with disabilities and medical conditions (Civ. Code, §§ 54-54.2);
 - d) Statutes prohibiting discrimination on the basis of specified characteristics in programs and activities conducted or operated by the state, or receiving financial assistance from the state, including in education. (Ed. Code, §§ 200, 220; Gov. Code, § 11135); and
 - e) The Fair Employment and Housing Act (FEHA) (Gov. Code, tit. 2, div. 3, pt. 2.8, ch. 6, §§ 12940 et seq.). (Gov. Code, § 12930.)

Former state law established the Task Force to develop reparations proposals for African Americans, with special consideration for African Americans who are descended from persons enslaved in the United States, and provided that the Task Force statutes would remain in effect until July 1, 2023, and as of that date be repealed. (former Gov. Code, §§ 8301-8301.7, repealed by Gov. Code § 8301.7.)

This bill:

- 1) Requires the Superintendent, beginning July 1, 2026, upon receipt of a complaint that alleges unlawful discrimination, harassment, intimidation, or bullying received by the Department of Education (DOE) to collect all of the following information:
 - a) The self-identified protected group of the complainant, if voluntarily provided.
 - b) A description of the complaint received.
 - c) Any action taken by the DOE in response to the complaint and the timeline for that action.
 - d) The disposition of the complaint.
- 2) Requires the DOE, beginning July 1, 2027, and annually thereafter, to create and post on the DOE's website a summary report of the information collected pursuant to 1) and provide a copy of the report to the Bureau.
- 3) Requires the Bureau to create and publish a public dashboard that allows the public to view the data in the report required by 2).
 - a) The summary report and the dashboard shall not include the personally identifiable information of any complainant.
 - b) The collection, publication, and transmission of data described in 1)-3) shall comply with all applicable state and federal privacy laws.
- 4) Requires the CRD to collect all of the following information in a complaint received by the CRD:
 - a) Demographic data relative to the ethnicity, race, gender, age, and other demographic information from the individual submitting the complaint in compliance with all applicable state and federal laws.
 - b) A description of the complaint received.
 - c) Any action taken by the CRD in response to the complaint received and the timeline for that action.
 - d) The disposition of the complaint.
- 5) Requires the CRD to publish the data described in 4) on its website, except for personal identifying information, which shall be deemed confidential.
- 6) Requires the CRD to transmit the data described in 4) to the Bureau, which shall create and publish dashboards that allow the public to view the collected data, except for personal identifying information, which shall be deemed confidential.
- 7) Provides that the publication and transmission of data described in 5) and 6) shall comply with all applicable state and federal laws.

COMMENTS

1. Author's comment

According to the author:

AB 935 represents an important step toward fostering greater transparency within California's state agencies. By requiring the collection and publication of anonymized demographic data, this bill ensures that the voices of historically marginalized communities, including descendants of American slavery, are heard and represented. This data-driven approach allows California's Civil Rights Department and Department of Education to identify trends in civil rights violations, and allows policymakers to craft more targeted, effective data-based solutions to support historically marginalized communities. Based on the findings of the California Reparations Report, AB 935 presents an opportunity for California's state agencies to identify racial biases and demographic trends when individuals report violations of their civil rights. In uncertain times, it is more important now than ever to ensure that we document these issues and make well-informed decisions to protect Californians.

2. The Task Force's report and recommendations

In 2020, the Legislature enacted AB 3121 (Weber, Ch. 319, Stats. 2020), which created the first-in-the-nation Task Force to explore options for providing reparations to African Americans, and particularly the descendants of enslaved persons, in recognition of California's role in the heinous institution of slavery and the post-abolition perpetuation of racist institutions.¹ The Task Force released an interim report on June 1, 2022, which provided the Task Force's preliminary findings regarding the ongoing and compounding harms caused by federal, state, and local governments from slavery and the " 'badges and incidents of slavery' " that continued to be imposed on African Americans long after slavery was formally abolished.² The report notes that, because "the effects of slavery infected every aspect of American society over the last 400 years...it is nearly impossible to identify every 'badge and incident of slavery,' to include every piece of evidence, or describe every harm done to African Americans."³

On June 29, 2023, the Task Force issued its final report to the California Legislature, known as the California Reparations Report.⁴ The California Reparations Report

¹ HR 40 (Pressley, 119th Cong., 2025-2026), a federal bill to create a federal commission to study the effects of slavery and discrimination on African Americans and devise reparations proposals, is pending before the House Committee on Judiciary. The bill has been introduced every year since 1989.

² California Task Force to Study and Develop Reparation Proposals for African Americans, Interim Report (June 1, 2022), available at <https://oag.ca.gov/ab3121/reports>. All links in this analysis are current as of June 26, 2025.

³ *Id.* at p. 5.

⁴ See generally California Reparations Report (2023), available at <https://oag.ca.gov/ab3121/report>.

incorporates and updates the interim report and recommends appropriate remedies, including compensation, for African Americans as recompense for the State's gross human rights violations against African Americans and their descendants.⁵ The California Reparations Report explains:

[T]he harms inflicted upon African Americans have not been incidental or accidental – they have been by design. They are the result of an all-encompassing web of discriminatory laws, regulations, and policies enacted by government. These laws and policies have enabled government officials and private individuals and entities to perpetuate the legacy of slavery by subjecting African Americans as a group to discrimination, exclusion, neglect, and violence in every facet of American life. And there has been no comprehensive effort to disrupt and dismantle institutionalized racism, stop the harm, and redress the specific injuries caused to descendants and the larger African American community.⁶

The Task Force developed its recommendations for reparations taking into account this willful infliction of harm and applying international standards and principles for the remedy of wrongs and injuries caused by a government.⁷

One of the Task Force's recommendations is for the Legislature to require the DOE and the CRD "to collect anonymized data for all complaints transmitted to each respective agency," and that these data be both published on the departments' websites and transmitted to the entity established to implement the Task Force's recommendations "to create and publish dashboards that allow the public to view the collected data."⁸ The recommendation arises from the significant concerns raised "about responsiveness and transparency related to the treatment and dispositions of complaints from African Americans raising civil rights concerns."⁹

3. This bill requires the Superintendent, the DOE, the CRD, and the Bureau to collect and publish information relating to discrimination-related complaints

Current law already requires the DOE and the CRD to collect complaints of allegations of prohibited discrimination, including harassment, intimidation, or bullying, on the basis of the victim's protected characteristic(s).¹⁰ This bill implements one of the Task Force's recommendations by providing greater transparency into the complaints received and their resolutions.

⁵ *Id.* at p. 4.

⁶ *Id.* at p. 48.

⁷ *Id.* at p. 512.

⁸ *Id.* at p. 662.

⁹ *Ibid.*

¹⁰ Ed. Code, § 33315; Gov. Code, § 12930.

First, the bill requires the Superintendent and the CRD to collect the discrimination-related complaints received by their respective departments and publish specified information relating to the complaints on their departments' websites.

Second, the DOE and the CRD must transmit their collected data – the Superintendent's in the form of a summary report – to the Bureau.¹¹ The Bureau will, in turn, create and publish dashboards that allow the public to view the data. The bill includes certain privacy protections for the data at the department and the Bureau level; the author has agreed to additional amendments, set forth in Comment 4, below, to bolster those protections.

Although the Committee has not received any opposition to this bill, it is worth noting that this bill does not appear to pose any constitutional issues, including issues relating to Proposition 209.¹² The collection of data concerning members of protected classes does not run afoul of equal protection principles or Proposition 209, provided that the program does not discriminate against, or grant a preference to, a particular group.¹³ Here, the Superintendent, CRD, and Bureau are tasked with collecting and publishing data relating to all protected classes, and the bill does not require any action be taken on the basis of the reported data, so there are no obvious problems with Proposition 209 or equal protection principles.

4. Amendments

As noted above, the author has agreed to amend the bill to strengthen the privacy protections for persons included in complaints collected by the Superintendent and CRD and in information submitted to the Bureau. The amendments also rearrange some of the ordering of the provisions while leaving the substance intact. The amendments are set forth below, subject to any nonsubstantive amendments the Office of Legislative Counsel may make.

Amendment 1

In Section 1 of the bill, add a "(1)" after "(a)" and relabel paragraphs (1)-(4) as subparagraphs (A)-(D).

¹¹ SB 518 (Weber Pierson, 2025) establishes the Bureau. SB 518 is pending before the Assembly Judiciary Committee.

¹² See Cal. Const., art. I, § 31 (Prop. 209, as approved by voters, Gen. Elec. (Nov. 5, 1996)).

¹³ E.g., *Connerly v. State Personnel Bd.* (2011) 92 Cal.App.4th 16, 46-47.

Amendment 2

On page 3, between lines 19 and 20, insert:

(2) The summary report shall not contain any personally identifying information about any individual and the information in the report shall be sufficiently deidentified to prevent the identification of the individuals involved in a complaint.

Amendment 3

On page 3, in line 20, change “(2)” to “(c)(1)”.

Amendment 4

On page 3, modify lines 23 through 25 to read as follows:

(2) The dashboard described in this subdivision shall not include any personally identifying information about any individual and the information in the report shall be sufficiently deidentified to prevent the identification of the individuals involved in a complaint.

Amendment 5

On page 4, in line 1, change “(c)” to “(d)”

Amendment 6

On page 4, in line 13, add “(1)” after “(b)”

Amendment 7

On page 4, in line 27, after “action” insert “, including whether the department filed a lawsuit or issued a right-to-sue notice”

Amendment 8

On page 4, delete line 23 and insert “(2) The information collected pursuant to paragraph (1) shall be confidential and protected from disclosure to the same extent as the underlying complaints.”

Amendment 9

On page 4, modify lines 24-27 to read:

(c) (1) The department shall create and post on the department's internet website a summary report of the information collected pursuant to subdivision (b) and provide a copy of the report to the Bureau for Descendants of American Slavery.

Amendment 10

On page 4, between lines 27 and 28, insert:

(2) The summary report shall not contain any personal identifying information of any person identified in a complaint and shall be sufficiently deidentified to prevent the identification of the individuals involved in a complaint.

Amendment 11

On page 4, in line 28, change "(2)" to "(d)(1)(A)"

Amendment 12

On page 4, in line 30 after "Slavery" insert

and the Bureau for Descendants of American Slavery shall create and publish a dashboard that allows the public to view the data in the report required in paragraph (1).

(B) The data transmitted by the department shall not contain any personally identifying information about any individual and the information in the report shall be sufficiently deidentified to prevent the identification of the individuals involved in a complaint.

(2) (A) The Bureau for Descendants of American Slavery

Amendment 13

After the insertion in Amendment 12, delete "who"

Amendment 14

On page 4, delete line 31 after "data" and all of line 32.

Amendment 15

On page 4, between lines 32 and 33, insert

(B) The dashboard described in this paragraph shall not include any personally identifying information about any individual in the report and the information shall be sufficiently deidentified to prevent the identification of the individuals involved in a complaint.

Amendment 16

On page 4, delete lines 33 through 35 and insert:

(e) The collection, publication, and transmission of data described in paragraphs (1) and (2) shall comply with all applicable state and federal privacy laws.

SUPPORT

None received

OPPOSITION

None received

RELATED LEGISLATION

Pending legislation:

SB 518 (Weber Pierson, 2025) establishes the Bureau for Descendants of American Slavery. SB 518 is pending before the Assembly Judiciary Committee.

AB 822 (Elhawary, 2025) extends the sunset on the Commission on the State of Hate until January 1, 2031. AB 822 is pending before this Committee and is set to be heard on the same date as this bill.

Prior legislation:

SB 1403 (Bradford, 2024) would have established the California Freedmen Affairs Agency which would, among other things, implement and oversee the implementation of the recommendations of the Task Force. SB 1403 died on the Assembly Floor.

SB 1134 (Smallwood-Cuevas, Ch. 779, Stats. 2024) clarified that the antidiscrimination provisions in the Education Code and FEHA include discrimination on the basis of a combination of two or more protected characteristics, i.e., intersectional discrimination.

SB 490 (Bradford, 2024) would have established the California Freedmen Affairs Agency which would, among other things, implement and oversee the implementation of the recommendations of the Task Force. SB 490 died in the Assembly Judiciary Committee.

AB 3121 (Weber, Ch. 319, Stats. 2020) established the Task Force and its mission, with a sunset date of July 1, 2023.

AB 818 (Committee on Budget, Ch. 32, Stats. 2018) among other things, required the Superintendent to establish and implement the Uniform Complaint Procedures system for, among other things, filing complaints that allege unlawful discrimination, harassment, intimidation, or bullying against any protected group, as specified.

PRIOR VOTES:

Assembly Floor (Ayes 62, Noes 10)

Assembly Appropriations Committee (Ayes 11, Noes 2)

Assembly Education Committee (Ayes 7, Noes 0)

Assembly Judiciary Committee (Ayes 9, Noes 1)
