

**CIVIL RIGHTS DEPARTMENT
PROPOSED REGULATIONS REGARDING PROCEDURES OF COMMUNITY CONFLICT RESOLUTION
FINAL STATEMENT OF REASONS**

CALIFORNIA CODE OF REGULATIONS

Title 2. Administration

Div. 4.1. Civil Rights Department

Chapter 1. Procedures of the Civil Rights Department of Fair Employment and Housing

Subchapter 5. Procedures of Community Conflict Resolution

UPDATE TO THE INITIAL STATEMENT OF REASONS [Government Code Section 11346.9(a)(1)].

After submission to and discussion with the Office of Administrative Law, the Department made the following amendments to the initially proposed text:

- Changed the placement of the regulations to Subchapter 5 rather than Subchapter 4.
- Deleted the redundant reference to the subchapter directly preceding § 10300.
- § 10300.
 - Subsection (a):
 - Struck reference to “CRD” (not used elsewhere in subchapter).
 - In second sentence, changed reference to “CCRU’s Services” to “community conflict resolution conciliation assistance.”
 - Subsection (b):
 - Struck first sentence as duplicative.
 - In second (now first) sentence, added “conciliation” after “resolution.”
 - In third (now second) sentence, changed “Community conflict resolution staff” to “Staff who provide community conflict resolution conciliation assistance.”
 - Subsection (c):
 - In first sentence, changed “these regulations” to “this chapter.”
 - In second sentence, changed “Community conflict resolution staff” to “Staff who provide community conflict resolution conciliation assistance.”
- Struck § 10301 in its entirety, and renumbered § 10302-10304 to § 10301 -10303.
- § 10303 (now § 10302).
 - Subsection (a):
 - Changed “listed” to “identified.”
- Added Government Code section 12931 to the authority cited for all sections.
- Changed the reference to Government Code section 12932(b) in §§ 10302 (now § 10301) and 10303 (now 10302) to Government Code section 12932.

The Department also notes that the title of the new subchapter set forth in the Initial Statement of Reasons was erroneously stated as “Community Conflict Resolution Services,”

rather than the actual title of the subchapter, “Community Conflict Resolution.”

UPDATED INFORMATIVE DIGEST [Government Code Section 11346.9(b)].

Current law authorizes the California Civil Rights Department (“Department”) to provide community conflict resolution assistance to communities experiencing disputes, disagreements, or difficulties arising from discriminatory practices that impair the rights of persons therein and threaten peaceful community relations (Gov. Code secs. 12931-12932).

In Fiscal Year 2022-2023, the Department received funding to establish a new Community Conflict Resolution Unit to provide community conflict resolution conciliation assistance to eligible communities and persons. This rulemaking will adopt suitable procedural rules and regulations to carry out the Department’s community conflict resolution functions as well as other functions and duties of the Community Conflict Resolution Unit.

The proposed regulations would also further implement SB 189 (Ch. 48, Stats. 2021-2022) by updating references to the Department’s former name. SB 189, in pertinent part, effectuated the Department’s name change from the “Department of Fair Employment and Housing” to the “Civil Rights Department.”

The Department has determined that the proposed amendments are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern the Department’s community conflict resolution procedures.

These proposed regulations will benefit communities and persons by providing a low-cost means to resolve conflict related to discrimination.

The Department noticed this proposed action on December 1, 2023. The Department provided 15 days from the date of the notice to request a public hearing but did not receive any such request. The Department provided 45 days from the date of the notice to submit public comment but did not receive any comments. Accordingly, the Department made no amendments to the originally proposed text prior to submitting the proposed text and rulemaking file to the Office of Administrative Law.

DETERMINATION OF LOCAL MANDATE [Government Code Section 11346.9(a)(2)].

The proposed regulations do not impose any mandate on local agencies or school districts.

ALTERNATIVES CONSIDERED [Government Code Section 11346.9(a)(4)].

The Department has determined that there exists no alternative to this subchapter that would be more effective in carrying out its purpose, be as effective and less burdensome to affected private persons, or would be more cost effective to affected private persons and equally effective in implementing the law. The Department received no comments, statements, or arguments from the public during the written comment period with respect to alternatives to the proposed regulations.

ECONOMIC IMPACT ANALYSIS/ASSESSMENT [Government Code Section 11346.9(a)(5)].

The Department anticipates that the adoption of the regulations will not impact the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses within the state, or the expansion of businesses currently doing business within the state. To the contrary, adoption of the proposed regulations is anticipated to benefit the health and welfare of California residents and communities, providing a means to resolve disputes relating to civil rights violations that does not involve litigation. The proposed regulations would also make it easier to understand respective rights and obligations as well as reduce litigation costs. These regulations would not affect worker safety or the state’s environment.

NONDUPLICATION STATEMENT [1 CCR Section 12].

For the reasons stated below, the proposed regulations partially duplicate or overlap state or federal statutes or regulations, which are cited as “authority” or “reference” for the proposed regulations, and the duplication or overlap is necessary to satisfy the “clarity” standard of Government Code section 11349.1(a)(3).

COMMENTS RECEIVED DURING THE 45-DAY COMMENT PERIOD [GOVERNMENT CODE SECTION 11346.9(A)(3)].

Subchapter 4. Procedures of Community Conflict Resolution.

§ 10300. Scope.

No comments.

§ 10301. Community Conflict Resolution Jurisdiction.

No comments.

§ 10302. Definitions.

No comments.

§ 10303. Confidentiality.

No comments.

§ 10304. Requesting or Accepting Community Conflict Resolution Conciliation Assistance.

No comments.