

**TITLE 2. CIVIL RIGHTS DEPARTMENT
PROPOSED REGULATIONS REGARDING PROCEDURES OF COMMUNITY
CONFLICT RESOLUTION**

[Notice published December 1, 2023]

NOTICE OF PROPOSED RULEMAKING

The Civil Rights Department (“Department”) proposes to add sections 10300 *et seq.* to Title 2 of the California Code of Regulations in order to further implement Government Code sections 12931-12933 after considering all comments, objections, and recommendations regarding the proposed action. The Department further proposes to modify the title of Chapter 1 of Division 4.1 of Title 2 of the Government Code to reflect the Department’s current name.

PUBLIC HEARING

The Department has not scheduled a public hearing on this matter. However, any interested person, or their authorized representative, may request, no later than 15 days prior to the close of the below comment period, a public hearing pursuant to Government Code section 11346.8.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period closes on **Friday, January 19, 2024, at 5:00 p.m.** The Department will consider only comments received by the end of that day. Written comments can be mailed to:

Civil Rights Department
Attention: Rachael Langston
555 12th Street – Suite 2050
Oakland, CA 94607
Telephone: 916-809-4371

Comments may also be submitted by e-mail to rachael.langston@calcivilrights.ca.gov.
Although not required, comment submission via email is strongly preferred.

AUTHORITY AND REFERENCE

Government Code section 12930(e) authorizes the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Government Code sections 12931 through 12933, as well as SB 189 (Committee on Budget and Fiscal Review, Chapter 48, Statutes of 2022).

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

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.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: No additional mandate beyond that imposed by existing law.

Cost or savings to any state agency: No additional costs or savings beyond those imposed by existing law.

Cost to any local agency or school district, which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: No additional costs or savings beyond those imposed by existing law.

Cost or savings in federal funding to the state: None.

Cost impacts on a representative private person or businesses: No additional costs or savings beyond those imposed by existing law. Therefore, the agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Results of the economic impact assessment/analysis: 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.

Statewide adverse economic impact directly affecting businesses and individuals:

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Small Business Determination: The proposed regulations may affect small businesses to the extent that they would provide guidance to small businesses that could benefit from the Department's community conflict resolution services.

Business Report: The Department has determined that the proposed regulations do not require a report to be made.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the Department's attention would be more effective in carrying out the purpose for which this action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department has thus far not become aware of a better alternative and invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Rachael Langston, Assistant Chief Counsel
Civil Rights Department
555 12th Street – Suite 2050
Oakland, CA 94607
Telephone: (916) 478-7251
E-mail: rachael.langston@calcivilrights.ca.gov

The backup contact person for these inquiries is:

Adam Romero, Deputy Director
Civil Rights Department

2218 Kausen Drive, Suite 100
Elk Grove, CA 95758
Telephone: (916) 478-7251
E-mail: adam.romero@calcivilrights.ca.gov

Please direct requests for copies of the proposed text (express terms) of the regulations, the Initial Statement of Reasons, any modified text of the proposed regulations, or other information upon which the rulemaking is based, should other sources be used in the future, to Rachael Langston at the above address.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above Oakland address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Rachael Langston at the address, email, or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Rachael Langston at the address, email, or phone number listed above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available on the Department's website at <https://calcivilrights.ca.gov/>.

Copies also may be obtained by contacting Rachael Langston at the address, email, or phone number listed.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations, any modified texts, and the Final Statement of Reasons can be accessed through the Department's website at <https://calcivilrights.ca.gov/>.