

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Alondra Esquivel-Garcia, Director, Youth Commission

FROM: Victor Young, Assistant Clerk,
Rules Committee

DATE: March 28, 2023

SUBJECT: LEGISLATIVE MATTER INTRODUCED

The Board of Supervisors' Rules Committee has received the following Ordinance. This item is being referred for comment and recommendation.

File No. 230308

Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding policies to reduce sexual assault at educational institutions, and setting forth the membership and duties of the Task Force.

Please return this cover sheet with the Commission's response to Victor Young, Assistant Clerk, Rules Committee.

RESPONSE FROM YOUTH COMMISSION Date: _____

No Comment
 Recommendation Attached

Chairperson, Youth Commission



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230308 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Safer Schools Sexual Assault Task Force **Date Introduced:** 03/21/2023

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding policies to reduce sexual assault at educational institutions, and setting forth the membership and duties of the Task Force.

Sponsor: Melgar

History of Legislative File 230308

| Ver | Acting Body | Date | Action | Sent To | Due Date | Result |
|-----|-------------|------------|----------------------------|-----------------|------------|--------|
| 1 | President | 03/21/2023 | ASSIGNED UNDER 30 DAY RULE | Rules Committee | 04/20/2023 | |

1 [Administrative Code - Safer Schools Sexual Assault Task Force]

2
3 **Ordinance amending the Administrative Code to establish the Safer Schools Sexual**
4 **Assault Task Force to advise the Board of Supervisors regarding policies to reduce**
5 **sexual assault at educational institutions, and setting forth the membership and duties**
6 **of the Task Force.**

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8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The Administrative Code is hereby amended by adding Chapter 5, Article
16 XII, consisting of Sections 5.12-1 through 5.12-7, to read as follows:

17 **ARTICLE XII:**

18 **SAFER SCHOOLS SEXUAL ASSAULT TASK FORCE**

19 **SEC. 5.12-1. CREATION OF TASK FORCE.**

20 *The Board of Supervisors hereby establishes the Safer Schools Sexual Assault Task Force (the*
21 *“Task Force”) of the City and County of San Francisco.*

22
23 **SEC. 5.12-2. FINDINGS.**

24 *(a) In April 2016, in Ordinance No. 89-16, the Board of Supervisors established a Safer*
25 *Schools Sexual Assault Task Force (“2016 Task Force”) comprised of ten members. Ordinance No.*

1 89-16 required the 2016 Task Force to submit to the Board of Supervisors a written report analyzing
2 relevant State and federal laws regarding on-campus sexual assault, recommending best practices for
3 colleges and universities in the City to reduce sexual assault, and recommending steps that the City
4 could take, including changes in law or policy, to assist those institutions toward that goal.

5 (b) In December 2017, the 2016 Task Force issued its Report and Recommendations setting
6 forth a set of recommendations for addressing on-campus sexual assault, primarily at the college and
7 university level.

8 (c) In accordance with the terms of Ordinance No. 89-16, the 2016 Task Force sunsetted in
9 December 2017. By enacting this Article XII, the Board of Supervisors intends to establish a new Task
10 Force to produce a new series of reports and recommendations.

11 (d) In February 2023, the Youth Commission passed Resolution No. 2223-AL-06 urging the
12 Board of Supervisors to reinstate the Safer Schools Sexual Assault Task Force, and to include youth
13 representation on the task force.

14
15 **SEC. 5.12-3. MEMBERSHIP.**

16 (a) The Task Force shall consist of 14 members, appointed as follows:

17 (1) Seat 1 shall be held by a current or former employee, officer, or volunteer at a
18 rape crisis center, with experience or expertise in prevention of and education regarding sexual
19 assault, and outreach, resources, and services for survivors of sexual assault, appointed by the Board
20 of Supervisors.

21 (2) Seat 2 shall be held by a person with experience as a peer educator addressing
22 prevention of and education regarding sexual assault, and providing outreach, resources, and services
23 for survivors of sexual assault, appointed by the Board of Supervisors.

1 (3) Seat 3 shall be held by an advocate for survivors or witnesses of sexual assault,
2 with expertise or experience in criminal justice proceedings or resources and support services for
3 survivors of sexual assault, appointed by the Board of Supervisors.

4 (4) Seat 4 shall be held by a survivor of sexual assault or an employee or
5 representative from an organization that represents or counsels survivors of sexual assault, appointed
6 by the Board of Supervisors.

7 (5) Seat 5 shall be held by an employee, officer, or other adult representative of a
8 middle school, high school, college, or university in San Francisco, with experience or expertise in
9 protocols, laws, and resources addressing sexual assault on campus, appointed by the Board of
10 Supervisors.

11 (6) Seat 6 shall be held by an employee, officer, or other adult representative of a
12 middle school, high school, college, or university in San Francisco, with experience or expertise in
13 protocols, laws, and resources addressing sexual assault on campus, appointed by the Board of
14 Supervisors.

15 (7) Seat 7 shall be held by a person who is a student of a high school or other
16 secondary-educational program in San Francisco, appointed by the Board of Supervisors. This seat is
17 exempt from the requirement in Charter Section 4.101(b) that the member be of voting age.

18 (8) Seat 8 shall be held by a person who is a student of a college or university in San
19 Francisco, appointed by the Board of Supervisors. This seat is exempt from the requirement in Charter
20 Section 4.101(b) that the member be of voting age.

21 (9) Seat 9 shall be held by an employee of the District Attorney's Office with
22 experience working in the Office's Child Abuse and Sexual Abuse Unit, appointed by the District
23 Attorney.

24 (10) Seat 10 shall be held by an employee of the Police Department with experience
25 working in the Department's Special Victims Unit, appointed by the Chief of Police.

1 (11) Seat 11 shall be held by an employee of the Department of Public Health with
2 experience or expertise related to sexual assault, appointed by the Director of Health.

3 (12) Seat 12 shall be held by an employee of the Human Rights Commission,
4 appointed by the Director of the Human Rights Commission.

5 (13) Seat 13 shall be held by the Director of the Department on the Status of Women
6 or the Director's designee, who must be an employee of the Department.

7 (14) Seat 14 shall be held by an employee of the San Francisco Unified School
8 District, with experience or expertise in prevention of and education regarding sexual assault, and
9 outreach, resources, and services for survivors of sexual assault, appointed by the Superintendent.

10 (b) If the member serving in Seat 7 graduates from high school, or if the member serving in
11 Seat 8 graduates from a college or university, before the expiration of the Task Force in accordance
12 with Section 5.12-7, the member shall by operation of law be deemed to have resigned from the Task
13 Force. The member shall inform the Department on the Status of Women and the Clerk of the Board of
14 Supervisors of their graduation as soon as possible and in any event no later than 30 days after the
15 graduation. The Board of Supervisors shall appoint a successor to the vacated seat.

16 (c) If the Superintendent does not appoint a member to serve in Seat 14 within 30 days
17 following the effective date of the ordinance in Board File No. _____, creating the Task Force, the
18 Board of Supervisors may appoint a member of the public to fill the seat for the life of the Task Force.

19
20 **SEC. 5.12-4. ORGANIZATION AND TERMS OF OFFICE.**

21 (a) Each member shall serve at the pleasure of the member's appointing authority, and
22 shall serve for the life of the Task Force unless removed by the appointing authority.

23 (b) If a vacancy occurs in any seat on the Task Force, the appointing authority for the
24 vacated seat shall appoint a successor to that seat.

1 (c) Members of the Task Force shall receive no compensation from the City, except that the
2 members in seats 9, 10, 11, 12, and 13 may receive their regular salaries for time spent on the Task
3 Force because serving in an official capacity as representative of their departments.

4 (d) Any member who misses three regular meetings of the Task Force without the express
5 approval of the Task Force at or before each missed meeting shall be deemed to have resigned from the
6 Task Force ten days after the third unapproved absence. The Task Force shall inform the appointing
7 authority of the resignation, and for the resignations in Seats 1 through 8, the Task Force shall also
8 inform the Clerk of the Board of Supervisors.

9 (e) The Department on the Status of Women shall provide clerical and administrative
10 support and staffing for the Task Force.

11
12 **SEC. 5.12-5. DUTIES.**

13 (a) No later than 12 months after the inaugural meeting of the Task Force, and every 12
14 months thereafter, the Task Force shall submit to the Board of Supervisors an annual written report
15 analyzing relevant State and federal laws regarding on-campus sexual assault, recommending best
16 practices for middle schools, high schools, colleges, and universities in the City to reduce sexual
17 assault, and recommending any steps that the City could take, including changes in law or policy, to
18 assist those institutions toward that goal.

19 (b) All City departments, commissions, boards, and agencies shall cooperate with the Task
20 Force in conducting its business.

21
22 **SEC. 5.12-6. MEETINGS AND PROCEDURES.**

23 (a) The Task Force shall hold its inaugural meeting not more than 30 days after a quorum
24 of the Task Force, defined as a majority of seats, has been appointed. There shall be at least ten days'
25

1 notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall hold a regular
2 meeting not less than once every three months until the sunset date set forth in Section 5.12-7.

3 (b) The Task Force shall elect a Chair, and such other officers, if any, it so chooses, and
4 may establish rules for its meetings and procedures.

5
6 **SEC. 5.12-7. SUNSET.**

7 Unless extended by ordinance, this Article XII shall expire by operation of law, and the Task
8 Force shall terminate, three years after the Task Force’s inaugural meeting. After the expiration of the
9 Task Force, the City Attorney is authorized to remove this Article from the Administrative Code.

10
11 Section 2. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor’s veto of the ordinance.

15
16
17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/
20 SARAH L. FABIAN
21 Deputy City Attorney

22 n:\legana\as2023\2300251\01664633.docx

LEGISLATIVE DIGEST

[Administrative Code - Safer Schools Sexual Assault Task Force]

Ordinance amending the Administrative Code to establish the Safer Schools Sexual Assault Task Force to advise the Board of Supervisors regarding policies to reduce sexual assault at educational institutions, and setting forth the membership and duties of the Task Force.

Existing Law

There is currently no task force or other City advisory body dedicated to advising the Board of Supervisors regarding policies to reduce sexual assault at educational institutions.

Amendments to Current Law

The proposed ordinance would create a Safer Schools Sexual Assault Task Force. The Task Force would last for three years. No later than 12 months after its inaugural meeting, and every 12 months thereafter, the Task Force would submit to the Board of Supervisors an annual written report analyzing relevant State and federal laws regarding on-campus sexual assault, recommending best practices for middle schools, high schools, colleges, and universities in the City to reduce sexual assault, and recommending steps that the City could take to assist those institutions toward that goal.

The Task Force would have 14 members. The Board of Supervisors would appoint eight members, including:

- A current or former employee, officer, or volunteer at a rape crisis center in the Bay Area, with experience or expertise in prevention of and education regarding sexual assault and outreach, resources, and services for survivors of sexual assault;
- A person with experience as a peer educator addressing prevention of and education regarding sexual assault, and providing outreach, resources, and services for survivors of sexual assault;
- An advocate for survivors or witnesses of sexual assault, with expertise or experience in criminal justice proceedings or resources and support services for survivors of sexual assault;
- A survivor of sexual assault or an employee or representative from an organization that represents or counsels survivors of sexual assault;
- An employee, officer, or other adult representative of a middle school, high school, college, or university in San Francisco, with experience or expertise in protocols, laws, and resources addressing sexual assault on campus;

- An employee, officer, or other adult representative of a middle school, high school, college, or university in San Francisco, with experience or expertise in protocols, laws, and resources addressing sexual assault on campus;
- A student of a high school or other secondary-educational program in San Francisco; and
- A student of a college or university in San Francisco.

The other six seats would be held by:

- An employee of the District Attorney's Office with experience working in the Office's Child Abuse and Sexual Abuse Unit, appointed by the District Attorney;
- An employee of the Police Department with experience working in the Department's Special Victims Unit, appointed by the Chief of Police;
- An employee of the Department of Public Health with experience or expertise related to sexual assault, appointed by the Director of Health;
- An employee of the Human Rights Commission, appointed by the Director of the Human Rights Commission;
- The Director of the Department on the Status of Women or the Director's designee, who must be an employee of the Department; and
- An employee of the San Francisco Unified School District, with experience or expertise in prevention of and education regarding sexual assault, and outreach, resources, and services for survivors of sexual assault, appointed by the Superintendent.

Background Information

In April 2016, in Ordinance No. 89-16, the Board of Supervisors established a Safer Schools Sexual Assault Task Force ("2016 Task Force") comprised of ten members. Ordinance No. 89-16 required the 2016 Task Force to submit to the Board of Supervisors a written report analyzing relevant State and federal laws regarding on-campus sexual assault, recommending best practices for colleges and universities in the City to reduce sexual assault, and recommending steps that the City could take, including changes in law or policy, to assist those institutions toward that goal.

In December 2017, the 2016 Task Force issued its Report and Recommendations setting forth a set of recommendations for addressing on-campus sexual assault, primarily at the college and university level. In accordance with the terms of Ordinance No. 89-16, the 2016 Task Force sunsetted in December 2017.

In February 2023, the Youth Commission passed Resolution No. 2223-AL-06 urging the Board of Supervisors to reinstate the Safer Schools Sexual Assault Task Force, and to include youth representation on the task force.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only

From: [LaCroix, Leah \(BOS\)](#)
To: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Melgar, Myrna \(BOS\)](#); [Farrah, Michael \(BOS\)](#); [Heiken, Emma \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#)
Subject: Ordinance: Administrative Code - Establishing the Safer Schools Sexual Assault Task Force
Date: Tuesday, March 21, 2023 1:38:04 PM
Attachments: [Melgar - Introduction Form - Ordinance - Safer School Sexual Assault Taskforce.pdf](#)
[ORD - Safer Schools Sexual Assault Task Force.DOCX](#)
[LEG DIGEST - Safer Schools Sexual Assault Task Force.DOCX](#)

Good Afternoon Madame Clerk,

Attached, please see legislation for Roll Call from Supervisor Myrna Melgar.

Very best,
Leah

Leah LaCroix

Legislative Aide

Office of Supervisor Myrna Melgar, District 7

1 Dr. Carlton B. Goodlett Place, Room 260

San Francisco, CA 94102

Direct: 415-554-6520

Pronouns: She/Her

[Sign up here](#) to receive Supervisor Melgar's newsletter

From: [Fabian, Sarah \(CAT\)](#)
To: [BOS Legislation, \(BOS\)](#); [LaCroix, Leah \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Cc: [Melgar, Myrna \(BOS\)](#); [Farrah, Michael \(BOS\)](#); [Heiken, Emma \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#)
Subject: RE: Ordinance: Administrative Code - Establishing the Safer Schools Sexual Assault Task Force
Date: Tuesday, March 21, 2023 1:51:31 PM
Attachments: [image004.png](#)

Hi Lisa,

This is to confirm that the attached ordinance has been approved as to form and the /s/ next to my name in the signature line of the ordinance has the same effect as my signature.

Thank you,

Sarah

Sarah L. Fabian (she/her)
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4679 Direct
www.sfcityattorney.org

From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Tuesday, March 21, 2023 1:45 PM
To: LaCroix, Leah (BOS) <leah.lacroix@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Fabian, Sarah (CAT) <Sarah.Fabian@sfcityatty.org>
Cc: Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Farrah, Michael (BOS) <michael.farrah@sfgov.org>; Heiken, Emma (BOS) <emma.heiken@sfgov.org>; Fieber, Jennifer (BOS) <jennifer.fieber@sfgov.org>
Subject: RE: Ordinance: Administrative Code - Establishing the Safer Schools Sexual Assault Task Force

Hi Leah,

Thank you for the legislation submission.

We are seeking the approval of Deputy City Attorney Sarah Fabian for use of her electronic signature and approval as to form. Kindly confirm that the attached ordinance is approved as to form, and the /s/ next to her name in the signature line of the ordinance has the same effect as her signature, by reply of this email.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

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Sent: Tuesday, March 21, 2023 1:38 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Farrah, Michael (BOS) <michael.farrah@sfgov.org>; Heiken, Emma (BOS) <emma.heiken@sfgov.org>; Fieber, Jennifer (BOS) <jennifer.fieber@sfgov.org>
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Very best,
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Leah LaCroix
Legislative Aide
Office of Supervisor Myrna Melgar, District 7
1 Dr. Carlton B. Goodlett Place, Room 260
San Francisco, CA 94102
Direct: 415-554-6520
Pronouns: She/Her

[Sign up here](#) to receive Supervisor Melgar's newsletter

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14 months thereafter, the Task Force shall submit to the Board of Supervisors an annual written report
15 analyzing relevant State and federal laws regarding on-campus sexual assault, recommending best
16 practices for middle schools, high schools, colleges, and universities in the City to reduce sexual
17 assault, and recommending any steps that the City could take, including changes in law or policy, to
18 assist those institutions toward that goal.

19 (b) All City departments, commissions, boards, and agencies shall cooperate with the Task
20 Force in conducting its business.

21
22 **SEC. 5.12-6. MEETINGS AND PROCEDURES.**

23 (a) The Task Force shall hold its inaugural meeting not more than 30 days after a quorum
24 of the Task Force, defined as a majority of seats, has been appointed. There shall be at least ten days'
25

1 notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall hold a regular
2 meeting not less than once every three months until the sunset date set forth in Section 5.12-7.

3 (b) The Task Force shall elect a Chair, and such other officers, if any, it so chooses, and
4 may establish rules for its meetings and procedures.

5
6 **SEC. 5.12-7. SUNSET.**

7 Unless extended by ordinance, this Article XII shall expire by operation of law, and the Task
8 Force shall terminate, three years after the Task Force’s inaugural meeting. After the expiration of the
9 Task Force, the City Attorney is authorized to remove this Article from the Administrative Code.

10
11 Section 2. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor’s veto of the ordinance.

15
16
17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/
20 SARAH L. FABIAN
21 Deputy City Attorney

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