


**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: May 14, 2015

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 15-0002-S41
Assignment No: 15-04-0325

SUBJECT: Resolution (Bonin – Martinez – Wesson) to support SB 695 (de Leon and Jackson) relative to health education, sexual assault and violence instruction.

CLA RECOMMENDATION: Adopt the attached Resolution (Bonin – Martinez – Wesson) to include in the City’s 2015-2016 State Legislative Program, SUPPORT of SB 695 (de Leon and Jackson) which would require high school health education classes to include instruction in sexual assault and violence.

SUMMARY

The Resolution (Bonin – Martinez – Wesson) states that from 1995 to 2013, the highest rate of rape and sexual assault victims were females between the ages of 18 and 24 and that approximately 80 percent of college-age victims knew their offender. Previous legislative efforts have been made to address these statistics and give credence to the victims of these crimes. SB 967 (de Leon – Jackson) has been introduced to expand on those efforts and require that education regarding sexual crimes begin at the high school age level for both males and females.

Existing State Law requires that in order to graduate from high school, each student must complete the necessary coursework mandated by each school district’s governing board. The majority of school districts within the State require that pupils complete a health education course prior to graduation. SB 695 would further require the health education courses to include instruction in sexual assault and violence, including, but not limited to the, information on the affirmative consent standard, as addressed in SB 967 (de Leon) which was enacted in 2014.

SB 695, furthering the efforts of SB 967, will expand rape and sexual violence education efforts to both male and female high school students. While SB 967 focused on the college campus environment, SB 695 will educate students before entering into college and ensure that discussions about healthy relationships, boundaries of acceptable behavior and consent are taking place in high school when the issues of sexual contact tend to arise. The authors of the bill hope that by increasing sexual assault and violence education with males and females, sexual assaults will be prevented on college campuses and among young people in general.


Background

SB 967 established the affirmative consent standard. This standard, also referred to and the “yes means yes” concept, changed the previously accepted view that a victim who does not explicitly give a “no” response, is consenting to sexual contact. SB 967 required that only an explicit “yes” either through verbal or non-verbal communication means consent. In addition, it required

colleges to increase: (1) training for faculty review boards; and (2) counseling and health service resources after assaults occur.

STATUS OF LEGISLATION

5/04/15	Heard in Committee on Appropriations and placed on suspense file
4/21/15	Approved by Committee on Education and re-referred to Committee on Appropriations
4/08/15	Amended and re-referred to Committee on Education
3/19/15	Referred to Committees on Education and Appropriations
2/27/15	Introduced



Andrea M. Galvin
Analyst

Attachment: Resolution

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, between 1995-2013, the highest rate of rape and sexual assault victimizations affected females between the ages of 18-24, and the female victims in this age group not enrolled in college were 1.2 times more likely to experience rape and sexual assault than females enrolled in college. Furthermore, approximately 80% of college-age victims knew their offender; and

WHEREAS, in 2014, California enacted SB 967 (De León), Chapter 748, which was a comprehensive overhaul of how colleges and universities address sexual violence. One of the main components of the bill was establishing an affirmative consent standard, the first application of the “yes means yes” concept in the country; and

WHEREAS, SB 967 shifted the paradigm away from the current practice of assuming consent in the absence of a “no” response from a victim - only an explicit “yes,” either through verbal or nonverbal communication, means consent; and

WHEREAS, given the statistics regarding the victimization of women between the ages of 18-24, high school students are the most vulnerable population and the importance of educating them early on these issues is paramount to reducing the number of incidents; and

WHEREAS, many California high schools require health education as a condition of graduation. As part of this education, students in grades 9-12 learn about the importance of healthy relationships, how interpersonal communication affects relationships, decision-making skills to extract oneself from an unhealthy situation, and an understanding of issues related to bullying, sexual harassment and violence; and


WHEREAS, the next step in expanding these education efforts is to discuss the issue of rape and sexual violence with all high school students – male and female; and

WHEREAS, Senate Bill 695 has been introduced to the State Legislature by Senators Hannah Beth-Jackson and Kevin De Leon, which would augment high school health curriculum to educate adolescents on sexual assault prevention and the importance of developing positive, healthy relationships in order to reduce assault incidents in the future.

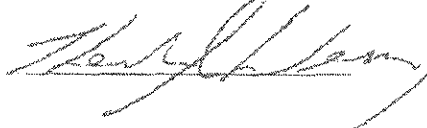
NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-16 State Legislative Program SUPPORT for Senate Bill 695 as proposed.


PRESENTED BY:


MIKE BONIN
Councilmember, 11th District


NURY MARTINEZ
Councilmember, 6th District

SECONDED BY:




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