

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2020**

No. 45

Introduced by Council Members By Council Members Rosenthal, Kallos, Treyger, Richards, Levin, Chin, Levine, Gibson, Cornegy, Barron, Lander, Ampy-Samuel, Adams, Rose, Cumbo, Louis, Ayala, Koslowitz and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to reporting on efforts to prevent and address sex- and gender-based discrimination and harassment

Be it enacted by the Council as follows:

Section 1. Section 20-b of Chapter 1 of the New York city charter is amended to read as follows:

§ 20-b. Commission on gender equity. a. There shall be a commission on gender equity to study the nature and extent of inequities facing women[and], girls, *transgender, intersex, gender non-conforming and non-binary individuals* in the city; to study [their]*the impact of such inequities* on the economic, civic[,] and social well-being of women[and], girls, *transgender, intersex, gender non-conforming and non-binary individuals*; to advise on ways to analyze the function and composition of city agencies through a gender-based lens and ways to develop equitable recruitment strategies; and to make recommendations to the mayor and the council for the reduction of gender-based inequality. Such commission shall consist of 26 members appointed by the mayor; [5]*five* members appointed by the speaker of the council; and the chair of the commission on human rights, who shall serve as an ex officio member. Members of the commission shall be representative of the [New York city] population *of the city of New York* and

shall have experience in advocating for issues important to women[and], girls, *transgender, intersex, gender non-conforming and non-binary individuals*. The mayor shall designate one member to serve as chair of the commission, and may also designate a member to serve as co-chair. Members shall serve at the pleasure of the appointing authority. In the event of the death or resignation of any member, [his or her]a successor shall be appointed by the official who appointed such member. The mayor shall appoint an executive director for the commission.

b. The commission shall have the power and duty to:

1. [hold] *Hold* at least one meeting every four months, including at least one annual meeting open to the public;

2. [keep] *Keep* a record of its activities;

3. [determine] *Determine* its own rules of procedure; and

4. [perform] *Perform* such advisory duties and functions as may be necessary to achieve its purposes as described in subdivision a of this section.

c. The commission may request information from any city agency or office it deems necessary to enable the commission to properly carry out its functions. The commission may also request from any private organization providing services to women[and], girls, *transgender, intersex, gender non-conforming and non-binary individuals* in the city pursuant to a contract with a city agency or office, information necessary to enable the commission to properly carry out its functions.

d. No later than December 1, 2017 and annually by [December] *April* 1 thereafter, the commission shall submit to the mayor and the speaker of the council *and post online* a report concerning its activities during the previous [twelve]12 months, the goals for the following year[,]

and recommendations pursuant to subdivision a of this section. *No later than April 1, 2021, and annually thereafter, such report shall also include any recommendations the commission shall have for agencies, including, but not limited to, the department of education, for preventing and improving responses to sex- and gender-based discrimination and harassment, including, but not limited to, discrimination and harassment prohibited by section 1681 of title 20 of the United States code, or title ix of the education amendments of 1972. No later than April 1, 2021, and annually thereafter, the commission shall also post online links to data publicly reported by agencies, including, but not limited to, the department of education, relating to sex- and gender-based discrimination and harassment.*

§ 2. Chapter 18 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-981.2 to read as follows:

§ 21-981.2 Reporting on efforts to prevent and address sex- and gender-based discrimination and harassment. a. Definitions. For the purposes of this section, the term “school” means a school of the city school district of the city of New York serving students in elementary, middle or high school, or any combination thereof.

b. No later than November 30, 2020, and annually by November 30 thereafter, the department shall submit to the mayor, the speaker of the council, the commission on gender equity and post online a report for the preceding school year regarding efforts to prevent or address sex- and gender-based discrimination and harassment, including discrimination and harassment prohibited by section 1681 of title 20 of the United States code, or title ix of the education amendments of 1972. Such report shall include, but need not be limited to, the following information:

1. A description of resources and support provided by the department to schools related to preventing and addressing sex- and gender-based discrimination and harassment, including relevant training;

2. A description of the department's policies and procedures for preventing and addressing sex- and gender-based discrimination and harassment and for investigating allegations of sex- and gender-based discrimination and harassment; and

3. A description of the department's organizational structure, including but not limited to, job titles and contact information, for central and borough employees whose work is related to preventing and addressing sex- and gender-based discrimination and harassment, in total and disaggregated by borough.

c. No information that is required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of personal information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 3. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on February 27, 2020 and returned unsigned by the Mayor on April 16, 2020.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 45 of 2020, Council Int. No. 1536-A of 2019) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.