

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 76

Introduced by Council Members Stevens, Dinowitz, Joseph, Louis, Farías, Restler, Hudson, Ung, Holden, Brooks-Powers, Narcisse, De La Rosa, Feliz, Lee, Krishnan, Avilés, Gennaro, Sanchez, Schulman and Cabán (by request of the Bronx Borough President).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of education to report on the number of District 75 students and the criteria used to determine the location of District 75 schools

Be it enacted by the Council as follows:

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 33 to read as follows:

CHAPTER 33

DISTRICT 75 SCHOOLS REPORTING

§ 21-1004 District 75 reporting. a. Definitions. For purposes of this section, the term “district 75 program” means a department program, designated as such, that provides educational, vocational, and behavioral support for students with significant challenges, such as autism spectrum disorders, significant cognitive delays, emotional disabilities, sensory impairments, and multiple disabilities.

b. No later than August 30, 2023, and annually thereafter, the department shall submit to the speaker of the council and post on the department's website a report regarding information on all district 75 programs for the prior school year. Such report shall include, but need not be limited to:

1. The number of students participating in a district 75 program in each building where a district 75 program is provided, disaggregated by school, eligibility for the free and reduced price lunch program,

race/ethnicity, gender, English language learner status, status as a student in temporary housing, and status as a student in foster care; and

2. The process and inputs used to determine the buildings where a district 75 program is provided, including, but not limited to:

(a) Any categories of non-quantitative criteria considered, which may include, but need not be limited to, facility replacements, grade expansion and truncation, school re-zonings, co-locating schools, and converting space in existing facilities; and

(b) The following information, reported at the community school district level, if utilized:

(1) Projections at the beginning of the prior school year of the number of students requiring a district 75 program and related confidence intervals;

(2) Any formula used for measuring capacity, including class size goals;

(3) Any relevant standards required for instructional space;

(4) Any relevant standards required for accessibility;

(5) Any relevant standards required for security;

(6) Any relevant standards required for the provision of medical care; and

(7) Any new capacity projects the department expected to be initiated during the plan period.

c. No information that is otherwise 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 student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains a number that would allow the number of individuals in another category that is 5 or fewer to be deduced, the number shall be replaced with a symbol.

§ 2. 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 May 11, 2023 and returned unsigned by the Mayor on June 13, 2023.

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. 76 of 2023, Council Int. No. 868-A of 2022) 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.