



Legislation Details (With Text)

File #: Int 1298-2018 **Version:** A **Name:** Requiring the DOE to report on physical education curricula in NYC schools.

Type: Introduction **Status:** Enacted
In control: Committee on Education

On agenda: 12/11/2018

Enactment date: 6/29/2019 **Enactment #:** 2019/127

Title: 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 physical education curricula in New York city public schools

Sponsors: Mark Treyger, Ben Kallos, Andy L. King, Robert E. Cornegy, Jr., Mathieu Eugene, Vanessa L. Gibson, Antonio Reynoso, Mark Levine, Donovan J. Richards, Deborah L. Rose, Inez D. Barron, Ydanis A. Rodriguez, Brad S. Lander, Robert F. Holden, Helen K. Rosenthal, Diana I. Ayala, Carlina Rivera, Stephen T. Levin

Indexes: Report Required

Attachments: 1. Summary of Int. No. 1298-A, 2. Summary of Int. No. 1298, 3. Int. No. 1298, 4. Committee Report 12/3/18, 5. Hearing Testimony 12/3/18, 6. Hearing Transcript 12/3/18, 7. December 11, 2018 - Stated Meeting Agenda with Links to Files, 8. Hearing Transcript - Stated Meeting 12-11-2018, 9. Minutes of the Stated Meeting - December 11, 2018, 10. Proposed Int. No. 1298-A - 4/2/19, 11. Committee Report 5/28/19, 12. Hearing Transcript 5/28/19, 13. Committee Report - Stated Meeting, 14. May 29, 2019 - Stated Meeting Agenda with Links to Files, 15. Hearing Transcript - Stated Meeting 5-29-19, 16. Minutes of the Stated Meeting - May 29, 2019, 17. Minutes of the Recessed Meeting of May 29, 2019 Held on June 13, 2019, 18. Int. No. 1298-A (FINAL), 19. Fiscal Impact Statement, 20. Legislative Documents - Letter to the Mayor, 21. Local Law 127

Date	Ver.	Action By	Action	Result
12/3/2018	*	Committee on Education	Hearing on P-C Item by Comm	
12/3/2018	*	Committee on Education	P-C Item Laid Over by Comm	
12/11/2018	*	City Council	Introduced by Council	
12/11/2018	*	City Council	Referred to Comm by Council	
5/28/2019	*	Committee on Education	Hearing Held by Committee	
5/28/2019	*	Committee on Education	Amendment Proposed by Comm	
5/28/2019	*	Committee on Education	Amended by Committee	
5/28/2019	A	Committee on Education	Approved by Committee	Pass
5/29/2019	A	City Council	Approved by Council	Pass
5/29/2019	A	City Council	Sent to Mayor by Council	
6/29/2019	A	Administration	City Charter Rule Adopted	
7/2/2019	A	City Council	Returned Unsigned by Mayor	

Int. No. 1298-A

By Council Members Treyger, Kallos, King, Cornegy, Eugene, Gibson, Reynoso, Levine, Richards, Rose, Barron, Rodriguez, Lander, Holden, Rosenthal, Ayala, Rivera and Levin

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 physical education curricula in New York city public schools

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-960 of the administrative code of the city of New York, as added by local law number 102 for the year 2015, is amended to read as follows:

b. Not later than August 31, 2016, and annually thereafter on or before August 31, the department shall submit to the council and post conspicuously on the department's website[, in a manner searchable by individual school, school district, and borough,] a physical education report for the preceding academic year which shall include, but not be limited to the following information on a citywide basis:

1. The total number of students and average physical education class size;

2. The average frequency and average total minutes per week of physical education instruction provided to students [in each grade level in each school.];

[2]3. [For each grade level in each school, data specifying the frequency and total minutes per week of physical education instruction received by students in that grade, including (i) the] The number and percentage of students who are receiving the required amount of physical education instruction; [(ii) the number and percentage of students who are receiving less physical education than required; and (iii)]

4. [the] The number and percentage of students who have an individualized education program that recommends adaptive physical education[. This data shall be disaggregated by (i) race and ethnicity; (ii) gender; (iii) special education status; and (iv) English language learner status];

[3]5. The number of designated full-time and part-time certified instructors providing physical education instruction [at the school]; [and] the ratio of [full time] certified instructors to students [at the school], including whether such instructor is a full-time certified instructor, part-time certified instructor, or uncertified instructor; the number of certified instructors who have received professional development concerning physical education instruction provided by the department in the preceding two school years; and the total number of certified instructors who attended multiple sessions of professional development concerning physical education

instruction provided by the department in the preceding two school years, disaggregated by the number of trainings attended;

[4]6. Information on all designated indoor and outdoor facilities used by the school for physical education instruction including, but not limited to:

(a) Information on all designated physical education instruction spaces inside or attached to the school including (i) the size of the space in square feet; (ii) whether the space is used for any purpose other than physical education instruction; and (iii) whether the space is used by any other schools including co-located schools in the same building and the names of such schools;

(b) Information regarding all off-site indoor and outdoor spaces that are used by the school for the purpose of physical education instruction, including but not limited to (i) the name and the location of the off-site space or facility; and (ii) whether the space is being used by any other schools including co-located schools in the same building and the names of such schools;

[5]7. Information regarding the department's supplemental physical education program, including but not limited to, "Move to Improve";

[6]8. [Information regarding the] The number of students who were permitted a substitution by the department; [and]

[7]9. A cross-referenced list of schools, including co-located schools, that share certified instructors with at least one other school[.] and the number of certified instructors that are shared;

10. A description of the department's physical education scope and sequence, including the topics covered by such physical education scope and sequence; whether the department's physical education scope and sequence satisfies the requirements for physical education instruction pursuant to the New York state education department regulations; and the date of the last assessment and update of the physical education scope and sequence; and

§ 2. Subdivision c of section 21-960 of the administrative code of the city of New York, as added by

local law number 102 for the year 2015, is amended to read as follows:

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 0 and 5 students, or contains an amount that would allow the amount of another category that is five or less to be deduced, the number shall be replaced with a symbol] Disaggregation of data. 1. The data required pursuant to this section shall be disaggregated by borough, community school district, district 75, and individual school.

2. The data required pursuant to paragraphs 2, 3, 4, and 8 of subdivision b of this section shall be disaggregated by demographic information including, but not limited to, the following categories:

(a) Grade;

(b) Race or ethnicity;

(c) Gender;

(d) Special education status; and

(e) English language learner status.

§ 3. Section 21-960 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. 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 one and five students, or allows another category to be narrowed to between one and five students, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state or local law relating to the privacy of student information.

§ 4. This local law takes effect immediately.

PLS/MMB
LS #3517
4/1/19; 1:43 p.m.