



Legislation Text

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Int. No. 1547

By Council Members Lander, Treyger, Torres and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to expanding reports on demographic data in New York city public schools

Be it enacted by the Council as follows:

Section 1. Section 21-956 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, is amended to read as follows:

§ 21-956 Definitions. For the purposes of this chapter, the following terms shall have the following meanings:

[“]Over the counter[”]. The term “over the counter” [shall mean] means a process of enrollment for high school students other than the citywide high school admissions process.

[“]Performance level[”]. The term “performance level” [shall mean] means the classification of test scores received on the New York state English language arts and mathematics examinations into four proficiency categories as reported by the state.

[“]Resident in temporary housing[”]. The term “resident in temporary housing” [shall mean] means satisfying the definition of “homeless child” as set forth in chancellor’s regulation A-780.

[“]School[”]. The term “school” [shall mean] means a school of the city school district of the city of New York, including charter schools under the jurisdiction of the department.

[“]Special programs[”]. The term “special programs” [shall mean] means academic programs including but not limited to gifted and talented programs in grades kindergarten through five [and dual], language programs in grades kindergarten through eight and programs with specific criteria for admissions including but

not limited to screened, screened language, composite score, talent test, audition and school-managed admissions, in grades six through 12.

§ 2. Subdivisions a, b, d, e and f of section 21-957 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, are amended to read as follows:

§ 21-957 Annual report on the demographics of students in kindergarten through grade eight. Not later than December 31, 2015, and by November 1 of each year thereafter, the department shall submit to the speaker of the council and post on its website a report regarding the following:

a. For each community school district, school within such district, [and] special program within such school, and grade within such school the total number of public school students enrolled in the preceding school year in grades kindergarten through eight and the number and percentage of such students who:

1. [receive] Receive special education services;

2. [are] Are English language learners;

3. [receive free or reduced price school lunch] Are eligible for public assistance from the human resources administration;

4. [reside] Reside in temporary housing; [and]

5. Are attending school out of the attendance zone in which the student resides, if applicable; and

[5] 6. [are] Are attending school out of the community school district in which the student resides.

b. The data provided pursuant to subdivision a shall be disaggregated by:

1. [grade] Grade level;

2. [race] Race or ethnicity;

3. [gender] Gender; and

4. [for students who are English language learners, primary home language.] English language learner status; and

5. The student's primary home language.

d. For each school and special program set forth in subdivision a of this section, the department shall report:

1. [the] The admissions process used by such school or special program, [such as] including, but not limited to, whether admission to such school or special program is based on a lottery, a geographic zone, a screening of candidates for such school, or a standardized test; [and]

2. [whether other] Any criteria or methods that are used [for admission] to supplement the admissions process, including but not limited to preferences established under the department's diversity in admissions pilot, composite score formulas, waitlists or a principal's discretion[.];

3. A side-by-side comparison of the racial and ethnic demographics of the school or special program with the racial and ethnic demographics of all students in kindergarten through grade eight that reside within the applicable attendance zone, and, if the applicable attendance zone is smaller than the community school district, a side-by-side comparison of the racial and ethnic demographics of the school or special program, the applicable attendance zone and the community school district; and

4. Whether such school or special program is becoming more or less similar to the racial and ethnic demographics of the applicable attendance zone and the community school district, based on the comparison required pursuant to paragraph 3 of this subdivision.

e. For each community school district, [T]he department shall report on whether the department made any efforts in such community school district during the preceding school year to encourage a diverse student body in its schools and special programs and, if so, the details of any such efforts, including, but not limited to, strategic site selection of new schools and special programs, making recommendations to the community education council to draw attendance zones with recognition of the demographics of neighborhoods, the allocation of resources for schools and special programs, and targeted outreach and recruitment efforts.

f. 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] one and [5] five students, or contains an amount that would allow another category that contains between [0] one and [5] five students to be deduced, the number shall be replaced with a symbol[, or shall be subject to some other form of data suppression]. 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.

§ 3. Section 21-957 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. The report required pursuant to this section shall, to the extent the department has such information, include data regarding charter schools located within the five boroughs.

§ 4. Subdivisions a, b, d, e and f of section 21-958 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, are amended to read as follows:

§ 21-958 Annual report on high school student demographics. Not later than December 31, 2015, and by November 1 of each year thereafter, the department shall submit to the speaker of the council and post on its website a report regarding the following:

a. For each public high school, the total number of students enrolled in grades nine through twelve in the preceding school year and the number and percentage of such students who:

1. [receive] Receive special education services;
2. [are] Are English language learners;
3. [receive free or reduced price school lunch] Are eligible for public assistance from the human resources administration;
4. [reside] Reside in temporary housing; and
5. [are] Are enrolled over the counter.

b. The data provided pursuant to subdivision a shall be disaggregated by:

1. [grade] Grade level;
2. [race] Race or ethnicity;
3. [gender] Gender; and
4. [for student who are English language learners, primary home language.] English language learner

status; and

5. The student's primary home language.

d. For each high school set forth in subdivision a of this section, the department shall report:

1. [the] The admissions process used by such school, such as whether admissions to such school is based on a lottery, a geographic zone, a screening of candidates for such school, or a standardized test; and

2. [whether] Whether other criteria or methods are used for admissions including, but not limited to, preferences established under the department's diversity in admissions pilot, over the counter admissions, waitlists, or a principal's discretion.

e. The department shall report, on an individual high school level, on efforts each individual high schools has taken during the preceding school year to encourage a diverse student body [in its high schools] including, but not limited to, strategic site selection of new schools and special programs, the allocation of resources for schools and special programs, and targeted outreach and recruitment efforts.

f. 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] one and [5] five students, or contains an amount that would allow another category that contains between [0] one and [5] five students to be deduced, the number shall be replaced with a symbol[, or shall be subject to some other form of data suppression]. 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.

§ 5. Subdivision b of section 21-959 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, is amended to read as follows:

b. 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] one and [5] five students, or contains an amount that would allow another category that contains between [0] one and [5] five students to be deduced, the number shall be replaced with a symbol[, or shall be subject to some other form of data suppression]. 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.

§ 6. This local law takes effect immediately.

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