



Legislation Text

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File #: Int 0199-2022, Version: \*

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Int. No. 199

By Council Members Salamanca, Cabán, Schulman and Dinowitz

A Local Law to amend the administrative code of the city of New York, in relation to requiring letter grades for food service establishments operated in schools, and to repeal section 23-702 of the administrative code of the city of New York, as added by local law number 112 of 2017, in relation to the results of inspections of food service establishments operated in schools

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1519 as follows:

§ 17-1519 Sanitary inspection grading for school food service establishments. a. Definitions. For purposes of this section, the term “school food service establishment” means a cafeteria or kitchen in a school that is subject to the provisions of article 81 of title 24 of the New York city health code.

b. The department shall establish and implement a system for grading and classifying inspection results for each school food service establishment using letters to identify and represent a school food service establishment’s degree of compliance with laws and rules that require such school food service establishment to operate in a sanitary manner to protect public health. Where practicable, such system shall be implemented in a manner consistent with the implementation of the letter grading program established by the department for food service establishments pursuant to section 81.51 of the New York city health code.

§ 2. Section 23-702 of chapter 7 of title 23 of the administrative code of the city of New York, as added by local law number 112 for the year 2017, is repealed.

§ 3. Section 23-702 of chapter 7 of title 23 of the administrative code of the city of New York, as added by chapter 313 for the year 2017, is amended to read as follows:

§ 23-702 [School cafeteria and kitchen inspection data.] School food service establishment inspection results and letter grades. a. [Whenever any cafeteria or kitchen in a school of the city school district is inspected by the department of health and mental hygiene, the city school district shall post the following information on its website:

1. the date of the inspection or reinspection;
2. the name and address of the school where the inspected cafeteria or kitchen is located;
3. the facts established observed violations, if any, during such inspection and the severity level of such violations;
4. citations to the laws, regulations or rules for any violations observed during such inspection; and
5. any corrective actions taken in response to such inspection.]

Definitions. For purposes of this section, the following terms have the following meanings:

Letter grade. The term “letter grade” means the sanitary inspection grade issued by the department of health and mental hygiene pursuant to section 17-1506.

School food service establishment. The term “school food service establishment” has the same meaning as set forth in section 17-506.

[b. Inspection results posted on the website for the city department of education pursuant to this section shall be searchable by the school name and address.]

b. Whenever a school food service establishment in the city school district is inspected by the department of health and mental hygiene, the department of education shall post the following information on its website: (i) the date of the inspection or re-inspection; (ii) the name and address of the school where the school food service establishment is located; (iii) the letter grade issued to the school food service establishment; (iv) the facts establishing observed violations, if any, during such inspection and the severity

level of such violations; (v) citations to the laws, regulations or rules for any violations observed during such inspection; and (vi) any corrective actions taken in response to such inspection.

c. At least once every school year, the principal of every school of the city school district [where students use a cafeteria or kitchen] in which there is a school food service establishment shall inform the parent or legal guardian of each student of such school of the letter grade of the school food service establishment and that the additional information required by this section is available on the website of the [city] department of education. The principal shall also post such letter grade in a publicly visible location near the front entrance and cafeteria entrances of such school, in a manner to be determined by the department of health and mental hygiene. The principal shall further promptly inform the parent or legal guardian of each student of such school whenever a letter grade issued for such school food service establishment is a C or below. The principal shall [inform such parent or legal guardian that such information is available] provide the information required to be communicated to such parent or legal guardian by this section in a manner consistent with how other information is communicated to such parent or legal guardian, including, but not limited to, email, mail, parent newsletter, or notice to students to show their parent or legal guardian.

d. The department of health and mental hygiene shall, for each school food service establishment for which inspection results and letter grades are not posted pursuant to subdivision b, post the following information on its website: (i) the date of the inspection or re-inspection; (ii) the name and address of the school where the school food service establishment is located; (iii) the letter grade issued to the school food service establishment; (iv) the facts establishing observed violations, if any, during such inspection and the severity level of such violations; (v) citations to the laws, regulations or rules for any violations observed during such inspection; and (vi) any corrective actions taken in response to such inspection.

e. Inspection results and letter grades posted on the websites for the department of education and the department of health and mental hygiene pursuant to this section shall be searchable by the school name and address.

§ 4. This local law takes effect 120 days after it becomes law.

Session 12

MMB

LS #947

3/24/22; 12:14 p.m.

Session 11

CCF/ZH

LS #5564

Int. #1013-2018