Committee on Education

Malcom M. Butehorn, *Senior Counsel*

Jan Atwell, *Senior* *Policy Analyst*

Kalima Johnson*, Senior Policy Analyst*

Chelsea Baytemur*, Financial Analyst*



**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION**

Jeffrey Baker, *Legislative Director*

Andrea Vazquez, *Deputy Director for Human Services*

**COMMITTEE ON EDUCATION**

Hon. Mark Treyger, *Chair*

 **November 14, 2019**

**PROPOSED INT. NO. 1547-A:** By Council Members Lander, Treyger, Torres and Kallos

**TITLE:** 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

**ADMINISTRATIVE CODE:** Amendssections 21-956, 21-957, 21-958 and 21-959

**PROPOSED INT. NO. 1550-A:** By The Public Advocate (Mr. Williams) and Council Members Torres, Lander, Richards, Cornegy and Kallos

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a school diversity advisory group

**ADMINISTRATIVE CODE:** Adds section 21-999

**PROPOSED INT. NO. 1552-B:** By Council Members Rivera, The Speaker (Council Member Johnson), Rosenthal, Kallos, Lander and Powers

**TITLE:** A Local Law in relation to creating district diversity working groups

**PROPOSED INT. NO. 1554-B:** By Council Members Treyger, Kallos, Eugene and Lander

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to reporting on the demographics of school staff in New York city public schools

**ADMINISTRATIVE CODE:** Adds section 21-958

**Introduction**

On Thursday, November 14, 2019, the Committee on Education, chaired by Council Member Mark Treyger, held a vote on Proposed Introduction Number 1547-B, sponsored by Council Member Lander; Proposed Introduction Number 1550-B, sponsored by The Public Advocate (Mr. Williams); Proposed Introduction Number 1552-B, sponsored by Council Member Rivera; and Proposed Introduction Number 1554-B, sponsored by Council Member Treyger. The Committee previously heard testimony on these bills on May 1, 2019. At that hearing, the Committee received testimony from the Department of Education (DOE), advocates, and other members of the public. In the prior Legislative Session, the Council held hearings on the issue of diversity in NYC schools in December 2014 and December 2017. On Thursday, November 14, 2019 the Committee passed Proposed Introduction Number 1547-B, Proposed Introduction Number 1550-B, Proposed Introduction Number 1552-B, and Proposed Introduction Number 1554-B by a vote of fifteen in the affirmative, zero in the negative, with zero abstentions.

**Background**

 *Brown v. Board of Education* was a 1954 U.S. Supreme Court case in which the Court held that segregation of students in public schools violates the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, because separate facilities are inherently unequal.[[1]](#footnote-1) This Supreme Court decision mandated the desegregation of public schools across the country and paved the way for integration efforts to begin in earnest.[[2]](#footnote-2) While New York City (NYC) is more racially diverse today than it was in 1954, its public schools are some of the most segregated in the country.[[3]](#footnote-3) Nationally, the “United States is resegregating, with the number of schools that are less than 40% white doubling between 1996 and 2016.”[[4]](#footnote-4)

In March 2019, headlines of newspapers across the country centered on nine NYC high schools and the racial make-up of their student bodies.[[5]](#footnote-5) These schools, known as the specialized high schools, are the most competitive and sought after schools in the City’s school system.[[6]](#footnote-6),[[7]](#footnote-7) Media interest increased when DOE reported that only seven out of 895 admissions offers to Stuyvesant High School, the city’s most selective school, went to black students.[[8]](#footnote-8) Further, out of 4,798 admissions offers for all eight test-based specialized high schools[[9]](#footnote-9) for the upcoming 2019-20 academic year, 506 offers, or 10.6 %, were received by black and Hispanic students,[[10]](#footnote-10) while the overall NYC public school enrollment is 66.5 % black and Hispanic.[[11]](#footnote-11)

This stark contrast in the racial makeup of the specialized high schools compared with the school system as a whole has served as a catalyst for policy makers, students, parents, educators and community advocates to turn a critical eye towards segregation in schools throughout the city.

The country’s most diverse public school system is also one of the most segregated.[[12]](#footnote-12) Segregation in New York City public schools is not simply one of race/ethnicity, but also socio-economic segregation[[13]](#footnote-13) and academic segregation.[[14]](#footnote-14)

*Racial/ethnic segregation*

According to a 2014 UCLA report, New York State has the most segregated public schools in the country.[[15]](#footnote-15) New York State’s numbers are heavily impacted by New York City, which has the third most racially segregated school system in the nation, according to a 2012 *New York Times* analysis.[[16]](#footnote-16)

*Socio-economic segregation*

There are existing federal, state, and local laws that prohibit policies that effectuate racial segregation.[[17]](#footnote-17)

“Public policies in housing, education, and infrastructure helped to create a segregated New York City,” as illustrated by Appendix A.[[18]](#footnote-18) “Colored infiltration a definitely adverse influence on neighborhood desirability”—that was a line from a report prepared by an appraiser tasked by the Home Owners’ Loan Corporation[[19]](#footnote-19), to summarize the prospects of the Bedford-Stuyvesant neighborhood for mortgage underwriting.[[20]](#footnote-20) A long systemic pattern of government sanctioned housing segregation policies have “helped lead to a perpetual cycle of inequality in which segregated housing leads to segregated schools which leads to unequal educational opportunities which leads to disparities in income which leads to segregated housing.”[[21]](#footnote-21)

*Academic segregation /isolation*

Concentrating students with low academic performance together can also have extreme adverse academic effects for those students.[[22]](#footnote-22) Examining 2017-18 DOE data, 90% of students in schools with 8th grade English Language Arts (ELA) passing rates below 25% are black or Hispanic, and 36% of students in schools with 8th grade ELA passing rates above 75% are black or Hispanic.[[23]](#footnote-23),[[24]](#footnote-24) A DOE report in 2008 conducted by The Parthenon Group[[25]](#footnote-25) found “that the chances for graduation for a black or Hispanic ninth-grade girl with average test scores and attendance differed significantly depending on the proportion of academically challenged students in her school,”[[26]](#footnote-26) showing that the makeup of the entire school with regard to academic achievement impacts outcomes for students.

 **Benefits of School Integration**

Social science research since the late 1980s is clear and consistent that the racial and socioeconomic composition of schools influences short- and long-term student outcomes.[[27]](#footnote-27) The findings indicate that segregation is harmful for all students, while racial, ethnic, and socioeconomic diversity is beneficial for all students.[[28]](#footnote-28) Both racial and socioeconomic integration have benefits that are complementary and overlapping, which reinforces the importance of prioritizing schools that are economically, as well as racially, diverse.[[29]](#footnote-29) Schools that are racially and socioeconomically integrated provide academic and cognitive benefits, social-emotional and civic benefits; as well as economic benefits.[[30]](#footnote-30)

*Academic Benefits*

With regard to academic benefits, research shows that students in integrated schools nationwide have higher average test scores.[[31]](#footnote-31) In New York City, a 2016 analysis by Citizens’ Committee for Children of New York found that students in diverse schools were more than twice as likely to meet proficiency standards on the ELA test as students in intensely segregated schools.[[32]](#footnote-32) Integrated schools also help to reduce racial achievement gaps, since low-income minority students in diverse schools gain the most on proficiency tests.[[33]](#footnote-33) Students in integrated schools are also less likely to drop out and more likely to enroll in college.[[34]](#footnote-34) Other cognitive benefits for all students—including middle-class white students— in diverse classrooms have been documented by researchers who found that “students’ exposure to other students who are different from themselves and the novel ideas and challenges that such exposure brings leads to improved cognitive skills, including critical thinking and problem solving.”[[35]](#footnote-35) These academic and cognitive benefits accrue to all students in all grades but are greatest in middle and high school suggesting that the effects are cumulative.[[36]](#footnote-36) Further, the earlier students experience desegregated learning environments, the greater the positive impacts on academic success.[[37]](#footnote-37)

*Social-Emotional and Civic Benefits*

A number of social-emotional and civic benefits also result from attending integrated schools where students are exposed to peers of different backgrounds, including:

* A reduction in individual levels of racial and ethnic prejudice;
* An increase in cross-racial trust and friendships among youths and adults;
* An enhanced capacity for navigating multicultural settings;
* An increased likelihood of choosing to live in integrated neighborhoods;
* Less juvenile and adult involvement with the criminal justice system;
* Better health and wellness among graduates of diverse schools.[[38]](#footnote-38)

Moreover, research shows that learning in integrated settings can improve students’ satisfaction and intellectual self-confidence and enhance students’ leadership skills.[[39]](#footnote-39) Racially diverse schools also have positive long-term effects on other life outcomes, including increased educational and occupational attainment, and higher income.[[40]](#footnote-40)

*Economic Benefits*

Integrated schools provide economic benefits to both students and society. Students who attend diverse schools are better prepared to succeed in a global economy.[[41]](#footnote-41) According to a report by The Century Foundation, “[n]inety-six percent of major employers, … say it is ‘important’ that employees be ‘comfortable working with colleagues, customers, and/or clients from diverse cultural backgrounds.”[[42]](#footnote-42) Students at integrated schools also benefit from more equitable access to resources, such as highly qualified teachers, better facilities, more challenging courses, and increased funding.[[43]](#footnote-43)

Further, research indicates that providing more students with integrated school environments is one of the most cost-effective ways to improve academic achievement.[[44]](#footnote-44) According to one estimate, reducing socioeconomic segregation in schools by half would produce a return on investment of three to five times the cost of the programs.[[45]](#footnote-45) Additionally, providing an integrated learning environment can be a more effective academic intervention than investing extra funding in a higher-poverty school.[[46]](#footnote-46)

**Figure 1** [[47]](#footnote-47)

**Current Landscape of DOE Schools**

As shown in Chart 1, the overall population of the NYC school system is very diverse with 40.5% Hispanic, 26% black, 16.1% Asian and 15% white.[[48]](#footnote-48)

**Chart 1**



Despite this overall diversity, most New York City schools do not reflect the diversity of the public school system as a whole. Based on a review of data provided by the DOE pursuant to Local Law 59 of 2015 (the School Diversity Accountability Act), for the 2017-18 school year, 74.6% of black and Hispanic students attended a school that was less than 10% white, and 34.3% of white students attended a school with more than 50% white students.[[49]](#footnote-49)

As previously mentioned, in addition to race, DOE schools are also segregated by socioeconomic status. As illustrated in Chart 2, for the 2017-18 school year, 74.5% of Hispanic students, 71.8% of black students, and almost 50% of Asian students attended a school where more than 75% of their classmates experienced poverty.[[50]](#footnote-50) Conversely, only 24.9% of white students attended a school where more than 75% of their classmates experienced poverty.[[51]](#footnote-51) Citywide, 74% of students experience poverty and the citywide ENI is 70.7%.[[52]](#footnote-52)

**Chart 2**



 While race and socioeconomic status are important considerations when evaluating schools for diversity, other factors such as diversity among English language learners (ELLs), students with disabilities (SWDs), and students living in temporary housing (STH) should also be considered. An analysis of DOE’s 2017-18 demographic data shows that while 25.2% of schools have a population of more than 20% ELL students, 47.4% of schools had a population of less than 10% ELL students.[[53]](#footnote-53) In addition to this discrepancy, SWDs were also under-represented in many schools.[[54]](#footnote-54) In fact, while 19.7% of students citywide were SWDs, [[55]](#footnote-55) 6.06% of schools have a population that is less than 10% SWDs.[[56]](#footnote-56) Furthermore, STHs were overrepresented in some schools and underrepresented in others. While 29.2% of schools have a population of more than 15% of STHs and 4.63% of schools do not have any STH.[[57]](#footnote-57)

**Impact of School Zoning and Choice on School Segregation**

Many schools, known as “zoned” schools, admit students based solely on residence in a specific school attendance zone.[[58]](#footnote-58) At the elementary level, 29 out of the City’s 32 community school districts are divided into attendance zones, and the other three, District 1 (Manhattan), District 7 (Bronx), and District 23 (Brooklyn), are “choice” districts, which have no zoned schools.[[59]](#footnote-59) Citywide, there are more than 100 zoned middle grade schools,[[60]](#footnote-60) and most students attend their zoned middle school or a school within their community district.[[61]](#footnote-61) Therefore, elementary - and, to an extent, middle school - students living in a segregated community are highly likely to attend a segregated zoned school. Notably, while some high schools consider zoning during admissions, there are not a significant number of zoned high schools in NYC.[[62]](#footnote-62)

While neighborhood school zoning has a significant role in school segregation, research shows “school choice” further exacerbates school segregation. School choice gives students the option to attend a school other than their local public school, including private schools, charter schools, and public schools outside of their district.[[63]](#footnote-63) As reported by the Center for New York City Affairs at The New School, students who participate in choice usually attend schools with higher test scores and fewer low-income students.[[64]](#footnote-64) In contrast, students who attend their zoned schools are more likely to attend schools with higher concentrations of poverty and a higher number of peers who are multi-lingual learners.[[65]](#footnote-65)

While all ethnic groups and races exercise school choice at higher rates than they did 10 years ago, research shows that certain groups are more prone to participate in school choice.[[66]](#footnote-66) Almost 60% of black students opt out of their neighborhood, zoned school, up from 38% a decade ago, and in 2016-17, 39% of Hispanic students opted out of their zoned school.[[67]](#footnote-67) Unlike their black and Hispanic peers, Asian and white students are less likely to opt out of their neighborhood school, as they are more likely to be pleased with their zoned neighborhood schools.[[68]](#footnote-68) Additionally, students who are eligible for free lunch and ELLs are less likely to opt out of their zoned schools than their higher income and English-proficient peers.[[69]](#footnote-69)

The Center for New York City Affair’s analysis found that living in gentrifying communities is the largest predictor of choice out of all other student characteristics analyzed in their research, i.e. taking advantage of school choice.[[70]](#footnote-70) In fact, students residing in gentrifying communities are 1.7 times more likely to exercise school choice than students living in non-gentrifying communities.[[71]](#footnote-71) White students in gentrifying neighborhoods exercised school choice significantly more than whites who were in non-gentrifying neighborhoods, with 46% of whites in gentrifying neighborhoods opting out of their zoned school, compared to 25% of them opting out in non-gentrifying neighborhoods.[[72]](#footnote-72)

Research shows that if all elementary students attended their zoned school, although the school system would still be segregated, it would be less segregated than it is currently.[[73]](#footnote-73) Moreover, more than 6,000 additional kindergarteners would be enrolled in schools with free lunch rates that correlate with the City’s average, and approximately 2,300 additional kindergarteners would be enrolled in schools that are between 50 and 90% black and Hispanic.[[74]](#footnote-74) Additionally, students would be more equally distributed by language status, race, and income level throughout the education system.[[75]](#footnote-75)

*Impact of Screened Schools on School Segregation*

 Many middle schools and most high schools are unzoned; therefore, applicants have more flexibility to choose the schools they prefer to attend. Some researchers, however, argue that this process perpetuates racial segregation due to the screening processes used.[[76]](#footnote-76) Screening processes allow schools to evaluate students based on auditions or other criteria such as their grades, standardized test scores, and attendance.[[77]](#footnote-77) Moreover, these criteria limit choice for students who are struggling academically and students who have challenging behavior.[[78]](#footnote-78) During school year 2017-18, of NYC’s 277,521 high school students, 15% attended schools with academic screens and 40% attended unscreened schools.[[79]](#footnote-79) About 18% of middle school students attended screened schools and 52% attended unscreened schools.[[80]](#footnote-80)

“Limited unscreened schools,” which unlike screened schools do not consider academic and attendance records, grant priority to students who have attended a school’s open house event, table at a high school fair, or information session.[[81]](#footnote-81) DOE acknowledges that such requirements may be an obstacle for parents who work long hours and who therefore cannot attend such events with their students.[[82]](#footnote-82) Moreover, students with high needs are less likely to be matched with a high-demand and high-performing limited unscreened school.[[83]](#footnote-83)

As reported by the Center for New York City Affairs at The New School, black and Hispanic students are concentrated in unscreened schools and Asian and white students have a higher likelihood of attending a screened school.[[84]](#footnote-84)

**ANALYSIS OF PROPOSED INT. NO. 1547-A**

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.

The proposed legislation would require the Department of Education (DOE) to expand upon the report required pursuant to Local Law 59/2015 by requiring information regarding individual grade levels within a school, and information regarding students who attend school outside of the attendance zone in which students reside. The proposed bill would further expand upon Local Law 59 by requiring DOE to include information on charter schools under the jurisdiction of the DOE, as well as information on charter schools in the five boroughs, to the extent the DOE has such information. Additionally, the bill would require the DOE to report on admissions preferences established under the DOE’s diversity in admissions pilot, and to report high school data regarding diversity efforts on an individual school level. The proposed bill would further amend Local Law 59 to require the DOE to report categories that contain zero as zero, unless reporting as such would violate student privacy laws. Finally, the proposed legislation would provide that the local law would take effect immediately.

**Update to A version:** Since the initial hearing on this bill, two minor changes were made. First, one of the reporting categories for students was changed from “public assistance from the human resources administration” to the “federal free or reduced prices meals program.” Second, the reporting date was changed from November 1 to December 1, in order to align this reporting bill with Proposed Introduction 1550-A.

**ANALYSIS OF PROPOSED INT. NO. 1550-A**

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a school diversity advisory group.

The proposed legislation would codify the establishment of a School Diversity Advisory Group to assist the Department of Education (DOE) in achieving diverse and integrated schools. The advisory group would be required to review DOE policies and engage parents, teachers, students, and other community members to formulate recommendations to the DOE. The group would consist of at least 23 members including teachers; principals; parents; students; and experts in culturally responsive curriculum, restorative justice school discipline policies, teacher education and training, and integration or education policy. The group would be required to meet at least once per quarter and to hold five public hearings to solicit feedback. The group would further be required to submit an annual report on findings and recommendations to the Mayor and the Speaker of the City Council and post such report on the DOE’s website. Areas to be considered by the advisory group would include: setting racial and socio-economic diversity goals; supporting schools in diversifying their populations; professional development; inequities in funding formulas; accessibility and integration of students with disabilities; pedagogy and curriculum; school climate; restorative justice and practices; parent and teacher empowerment; and any other areas the advisory group deems necessary. The proposed bill would further require the DOE to include an addendum on future reports to include information regarding the implementation of any recommendations from the advisory group, including relevant timelines for implementation. The proposed bill would provide that the local law would take effect immediately.

**Update to A version:** Since the initial hearing on this bill, the bill has been amended by increasing the number of advisory group members to 27 from 23; providing the Public Advocate with one appointee to the advisory group; requiring the advisory group to maintain a public website to enable on-going solicitation of public feedback; requiring the advisory group to begin meeting no less than quarterly starting on September 1, 2020; and changing the due date of the first report to December 1, 2021 instead of December 1, 2020.

**ANALYSIS OF PROPOSED INT. NO. 1552-B**

A Local Law in relation to creating district diversity working groups.

The proposed legislation would establish a working group in each community school district to review and make recommendations to foster and increase school diversity. The bill would require that each working group consist of at least 13 members, including teachers, parents, principals, students, community education council members, superintendents, and representatives of the Department of Education. The bill would further require each working group to partner with a community based organization and to create a plan to foster and increase school diversity, examining areas such as admissions, transfers, language access, and school transportation. Each working group would be required to meet at least once per quarter and hold at least one public hearing each quarter to solicit feedback. Each working group would be required to submit a report of its findings and plan to increase school diversity to the Mayor, the Chancellor, and the Speaker of the City Council. The proposed bill would provide that the local law would take effect immediately and would be repealed upon submission of the required plans.

**Update to B version:** Since the initial hearing on this bill, the bill has been amended to be less prescriptive and provide greater flexibility to the DOE in creating and facilitating the work of these working groups. The DOE will now be required to complete this work no later from five years of enactment of this bill and those community school districts that have either (i) created a plan to foster diversity within the 3 years of the effective date of this bill or (ii) have voluntarily engaged with the DOE to establish a working group as of the effective date of this bill will be exempt from the requirements of this bill.

**ANALYSIS OF PROPOSED INT. NO. 1554-B**

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the demographics of school staff in New York city public schools.

The proposed legislation would amend Local Law 59/2015 to require the Department of Education to annually report on the demographics of school staff. Such information would include the number of employees at each school, disaggregated by gender, race/ethnicity, length of employment, years of experience, highest degree earned, and job title. The bill would provide that such data would also be aggregated citywide and by community school district, and borough as applicable. The bill would provide that the local law would take effect immediately.

**Update to B version:** Since the initial hearing on this bill, the bill has been amended to no longer require reporting on charter schools and highest degree earned by a school staff member due to the Department of Education not tracking such information; and the term school staff was disaggregated out into the reporting categories: teaching staff, leadership staff and other professional and paraprofessional staff. Finally, the reporting date was changed from November 1 to December 1, in order to align this reporting bill with Proposed Introduction 1550-A.

**UPDATE:** On Thursday, November 14, 2019 the Committee passed Proposed Introduction Number 1547-B, Proposed Introduction Number 1550-B, Proposed Introduction Number 1552-B, and Proposed Introduction Number 1554-B by a vote of fifteen in the affirmative, zero in the negative, with zero abstentions.

Proposed Int. No. 1547-A

By Council Members Lander, Treyger, Torres and Kallos

..Title

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

..Body

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

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

[“]School[” shall mean]. The term “school” 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[” shall mean]. The term “special programs” 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.

§ 2. Section 21-957 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:

§ 21-957 Annual report on the demographics of students in grades kindergarten through [grade] eight. Not later than December 31, 2015, and by [November 1] December 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] Are eligible for the federal free or reduced price [school lunch] meals program;

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

5. [are] Are attending school out of the attendance zone in which the student resides; and

6. 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. Primary home language.

 c. For students in grades three through eight, the data provided pursuant to subdivision a of this section shall indicate:

1. [the] The number of students who completed the New York state mathematics examination, disaggregated by performance level; and

2. [the] The number of students who completed the New York state English language arts examination, disaggregated by performance level.

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[,]; an audition; a screening of candidates for such school; including a detailed description of such screening[,]; 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 such school or special program with the racial and ethnic demographics of all students in grades kindergarten through 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 applicable 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. [The] For each community school district, the 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 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.

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.

§ 3. Section 21-958 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, is renumbered and amended to read as follows:

§ [21-958] 21-957.1 Annual report on high school student demographics. Not later than December 31, 2015, and by [November 1] December 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] Are eligible for the federal free or reduced price [school lunch] meals program;

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. Primary home language.

c. For students in grade nine, the data provided pursuant to subdivision a of this section shall provide:

1. [the] The number of students who completed the New York state mathematics examination administered in eighth grade, disaggregated by performance level; and

2. [the] The number of students who completed the New York state English language arts examination administered in eighth grade, disaggregated by performance level.

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[,]; an audition; a screening of candidates for such school, including a detailed description of such screening; 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 school 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.

§ 4. 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 renumbered and amended to read as follows:

§ [21-959] 21-957.2 Annual report on the demographic of students in pre-kindergarten programs operated by the department.

Not later than November 1, 2016, and [annually thereafter not later than November 1] by December 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 school that offers a pre-kindergarten program, the total number of students enrolled in the preceding school year in such program, disaggregated by race or ethnicity and gender.

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.

§ 5. This local law takes effect immediately.

NAB/MMB

LS #8738

9/17/19; 8:16 p.m.

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Proposed Int. No. 1550-A

By The Public Advocate (Mr. Williams) and Council Members Torres, Lander, Richards, Cornegy and Kallos

..Title

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a school diversity advisory group

..Body

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 28 to read as follows:

Chapter 28. School Diversity Advisory Group

§ 21-999 School diversity advisory group. a. There shall be a school diversity advisory group to provide recommendations to the department on achieving diverse, integrated schools that offer academic and social benefits for all students. Such advisory group shall review current department policies and engage parents, teachers, students, advocates, other community leaders and local and national experts on school diversity to formulate its recommendations.

b. The school diversity advisory group shall consist of at least 27 members as follows:

1. The mayor or the mayor’s designee;

2. The speaker of the council or the speaker’s designee;

3. Sixteen members appointed by the mayor, as follows: four members shall be teachers or principals employed by the department; two members shall be current students; five members shall be experts in the field of culturally responsive curriculum and pedagogy, restorative justice school discipline policies, teacher education and training, integration or education policy; and five members shall be parents of a child attending a public school within the city school district;

4. Eight members appointed by the speaker of the council, chosen from individuals representing community based organizations whose missions are focused on improving student and school outcomes, multicultural education, diversity or equity and justice; and

5. One member appointed by the public advocate.

c. The parental appointees required by paragraph 3 of subdivision b of this section shall be residents of the city and from different boroughs, and at least one shall be a parent of a child enrolled in an elementary school, at least one shall be a parent of a child enrolled in a middle school and at least one shall be a parent of a child enrolled in a high school.

d. Membership on the advisory group shall not constitute the holding of a public office, and members of the advisory group shall not be required to take or file oaths of office before serving on the advisory group. Each member of the advisory group shall serve without compensation for a term of 12 months, except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city charges.

e. All members shall be appointed within 90 days after the effective date of this local law. Each member may be reappointed to serve successive terms. No member shall be removed except for cause by the appointing authority. In the event of a vacancy during the term of an appointed member, a successor shall be selected in the same manner as the original appointment. The members shall designate a chair from amongst themselves.

f. The mayor may designate one or more agencies to provide staffing and other administrative support to the advisory group.

g. Commencing on September 1, 2020, the advisory group shall be required to meet no less than quarterly and shall also be required to hold five public hearings annually, one in each of the five boroughs, to solicit public comment on the integration of New York city public schools. The advisory group shall also create a dedicated website to enable on-going solicitation of public feedback.

h. No later than December 1, 2021, and annually thereafter, the advisory group shall prepare a report of findings, annual review of departmental integration efforts and, at the advisory group’s discretion, recommendations to the department. The recommendations shall address areas including, but not limited to:

1. Goals for racial, socio-economic and academic diversity and how the department can best track and publish metrics in achieving such goals;

2. How the department can support schools in diversifying their populations;

3. Professional development of departmental employees;

4. How the department can change its funding formulas for schools to better address inequitable opportunities in schools for programs, staff and facilities;

5. Accessibility and integration of students with disabilities;

6. Pedagogy and curriculum;

7. School climate;

8. Restorative justice and practices;

9. Parent and teacher empowerment;

10. The use of algorithms or other data-driven methodologies in creating policies to increase diversity; and

11. Any other areas the advisory group deems necessary.

i. The report required pursuant to subdivision h of this section shall be submitted to the mayor, the speaker of the council and the public advocate and posted on the reports section of the department’s website. The department shall notify students, parents, teachers and administrators each time such report is posted to the department’s website. The department is required to maintain on the reports section of its website all reports submitted by the advisory group.

j. The department shall be required to add an addendum for reports required in year 2022 and annually thereafter that shall include information on the implementation of recommendations from prior reports. For those recommendations the department chooses to enact, the department in its addendum shall be required to include an implementation timeframe for each recommendation. If a target date will not be met, the department shall include an explanation and identify remedial steps the department will take to achieve the implementation timeframe in subsequent years.

§ 2. This local law takes effect June 1, 2020.

MMB

LS #1839; LS #2663; LS#8739

9/17/19; 6:36 p.m.

Proposed Int. No. 1552-B

By Council Members Rivera, The Speaker (Council Member Johnson), Rosenthal, Kallos, Lander and Powers

..Title

A Local Law in relation to creating district diversity working groups

..Body

Be it enacted by the Council as follows:

Section 1. District diversity working groups. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Community school district. The term “community school district” has the same meaning as such term is defined in subdivision 2 of section 2590-a of the education law.

Department. The term “department” means the New York city department of education.

b. The mayor shall establish a working group, for every community school district, to develop recommendations and a plan to foster and increase school diversity, according to the timeframe set forth in subdivision k of this local law. Each working group shall consist of at least 13 members. Members of each working group shall be appointed by the mayor, and shall include teachers from elementary and middle schools from the respective community school district who are currently employed by the department; principals from such district who are currently employed by the department; parents of students attending public schools in such district; students currently enrolled in public middle schools in such district; at least one representative of the community district education council within such district and the superintendent, or superintendent’s designee, with jurisdiction over such district.

c. For each working group, the mayor shall appoint a department representative to serve as a co-facilitator.

d. Each working group may, at such working group’s discretion, select a community based organization, from a list established by the mayor, to serve as a co-facilitator.

e. No member shall be removed except for cause by the appointing authority. In the event of a vacancy during the term of an appointed member, a successor shall be selected in the same manner as the original appointment.

f. Membership on a working group shall not constitute holding of a public office, and members of a working group shall not be required to take or file oaths of office before serving on a working group. Each member of a working group shall serve without compensation.

g. No later than 3 months after the establishment of each working group, such working group shall be required to hold at least 1 public hearing to solicit public comment and recommendations on improving diversity in schools within the respective community school district. Each working group shall also create a website to solicit public comment and recommendations.

h. The mayor may designate 1 or more agencies to provide staffing and other administrative support to each working group.

i. Each working group shall examine the issue of school diversity in its respective community school district and develop recommendations and a plan to foster and increase school diversity. Areas to be examined shall include, but are not limited to: admissions policies, transfer trends, language access, gifted and talented programs, screened programs and student transportation.

j. No later than 2 years after the establishment of a working group, such working group shall submit a report of its findings, recommendations and plan required pursuant to subdivision i of this local law to the mayor, chancellor of the city school district of the city of New York and the speaker of the council. Such report shall also include (i) an estimate of costs associated with implementation of such plan and (ii) if such working group chose not to have a community based organization co-facilitate pursuant to subdivision d of this local law, an explanation why a co-facilitator was not necessary.

k. No later than 5 years after the effective date of this local law, the mayor shall have established a working group in every community school district as required by subdivision b of this local law, except as provided in subdivision l of this local law.

l. The mayor shall not be required to establish a working group required by subdivision b of this local law in any community school district that has (i) created a plan to foster and increase school diversity within the 3 years prior to the effective date of this local law or (ii) has voluntarily engaged with the department to establish a working group to foster and increase school diversity as of the effective date of this local law. No later than 2 years after the effective date of this local law, the mayor shall submit to the speaker of the council a report on the activities and recommendations of such working groups.

m. All reports required by this local law shall be posted on the department’s website.

§ 2. This local law takes effect immediately and is deemed repealed upon issuance of all reports required by section one of this local law.

MMB

LS #8100

10/8/2019 5:27 p.m

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Proposed Int. No. 1554-B

By Council Members Treyger, Kallos, Eugene and Lander

..Title

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the demographics of school staff in New York city public schools

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 6 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-958 to read as follows:

§ 21-958 Annual report on the demographics of school staff. a. Definitions. For purposes of this section, the following terms have the following meanings:

Leadership staff. The term “leadership staff” means principals and assistant principals employed by the department.

Other professional and paraprofessional staff. The term “other professional and paraprofessional staff” means paraprofessionals, therapists and other pedagogical staff employed by the department, including, but not limited to guidance counselors, social workers and school psychologists, that are not teaching staff or leadership staff.

School. The term “school” means a school of the city school district of the city of New York.

Teaching staff. The term “teaching staff” means teachers employed by the department.

b. No later than December 1, 2020, and annually by December 1 thereafter, the department shall submit to the speaker of the council and post on its website a report for the previous school year including the following for each school:

1. The district borough number; and

2. The number of employees, disaggregated by:

(a) Teaching staff;

(b) Leadership staff; and

(c) Other professional and paraprofessional staff.

3. The data reported pursuant to paragraph 2 of this subdivision shall be further disaggregated by:

(a) Gender; and

(b) Race or ethnicity.

4. The data reported pursuant to subparagraphs (a) and (b) of paragraph 3 of this subdivision shall be further disaggregated by:

(a) Length of employment at such school; and

(b) Years of experience in such position.

5. The data reported pursuant to paragraph 2 of this subdivision shall be aggregated by community school district for schools serving students in grades pre-kindergarten through eight, by borough and citywide.

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 related to the privacy of information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. This local law takes effect immediately.

MMB

LS #10108

10/8/19; 7:40pm

1. 347 U.S. 483. [↑](#footnote-ref-1)
2. “Brown v Board of Education Decision (May), Civil rights Movement Veterans. Accessed at: <https://www.crmvet.org/tim/timhis54.htm#1954bvbe>. [↑](#footnote-ref-2)
3. Shapiro, E. “Segregation Has Been the Story’s of New York City’s Schools for 50 Years,” *The New York Times*. March 26, 2019, accessed at: <https://www.nytimes.com/2019/03/26/nyregion/school-segregation-new-york.html>. [↑](#footnote-ref-3)
4. Harris, A. “Can Richard Carranza Integrate the Most Segregated School System in the Country?” *The Atlantic*. July 23, 2018, accessed at: <https://www.theatlantic.com/education/archive/2018/07/richard-carranza-segregation-new-york-city-schools/564299/>. [↑](#footnote-ref-4)
5. Shapiro, E. “Only 7 Black Students Got Into Stuyvesant, N.Y.’s Most Selective High School, Out of 895 Spots,” *The New York Times*. March 18, 2019, accessed at: <https://www.nytimes.com/2019/03/18/nyregion/black-students-nyc-high-schools.html>. [↑](#footnote-ref-5)
6. Stuyvesant High School, Bronx High School of Science, Brooklyn Technical High School, Brooklyn Latin School, Staten Island Technical High School, Queens High School for the Sciences, High School of American Studies, the High School of Mathematics, Science and Engineering, and LaGuardia High School of Music and the Arts. [↑](#footnote-ref-6)
7. N.Y. Ed Law § 2590-h. [↑](#footnote-ref-7)
8. Shapiro, E. “Only 7 Black Students Got Into Stuyvesant, N.Y.’s Most Selective High School, Out of 895 Spots,” *The New York Times*. March 18, 2019, accessed at: <https://www.nytimes.com/2019/03/18/nyregion/black-students-nyc-high-schools.html>. [↑](#footnote-ref-8)
9. The ninth, LaGuardia High School of Music and the Arts, admits students on the basis of auditions and students' academic records. [↑](#footnote-ref-9)
10. *See* New York City Department of Education. “Re: High School Admissions.” 19 March 2019. E-mail from DOE on file with Council staff [↑](#footnote-ref-10)
11. *See* New York City Department of Education, “DOE Data at a Glance.” Accessed at: <https://www.schools.nyc.gov/about-us/reports/doe-data-at-a-glance>. [↑](#footnote-ref-11)
12. Chen, M. “New York’s Separate and Unequal Schools.” *The Nation*. February 20, 2018, accessed at: <https://www.thenation.com/article/new-yorks-separate-and-unequal-schools/>. [↑](#footnote-ref-12)
13. Harris, E. and Katz, J, “Why are New York’s Schools segregated? It’s Not as Simple as Housing.” *The New York Times.* May 2, 2018, accessed at: <https://www.nytimes.com/interactive/2018/05/02/nyregion/new-study-school-choice-increases-school-segregation.html>/. [↑](#footnote-ref-13)
14. “Current Campaign: Enrollment Equity,” *Teens Take Charge*, accessed at <https://www.teenstakecharge.com/campaign>. [↑](#footnote-ref-14)
15. John Kuscera with Gary Orfield, “New York State’s Extreme School Segregation: Inequality, Inaction, and a Damaged Future.” *The Civil Rights Project*. March 2014, accessed at: <http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/ny-norflet-report-placeholder/Kucsera-New-York-Extreme-Segregation-2014.pdf>. [↑](#footnote-ref-15)
16. Fessenden, F., “A Portrait of Segregation in New York City’s Schools,” *New York Times*. May 11, 2012, accessed at: <https://archive.nytimes.com/www.nytimes.com/interactive/2012/05/11/nyregion/segregation-in-new-york-city-public-schools.html?searchResultPosition=1>. [↑](#footnote-ref-16)
17. “Segregation in the United States,” History.com, April 15, 2019. Accessed at: <https://www.history.com/topics/black-history/segregation-united-states#section_9>. [↑](#footnote-ref-17)
18. “Desegregating NYC. Twelve Steps Toward a More Inclusive City,” *A Report by Council Member Brad Lander*. April 2018, page 3. Accessed at: <https://drive.google.com/file/d/17yqKmyjsVXJEezRc-Dxfiz08F8C3MW_n/view>. [↑](#footnote-ref-18)
19. As part of President Franklin Roosevelt’s New Deal legislation, the United States Congress passed legislation creating the Home Owners Loan Corporation, whose purpose was to refinance home mortgages that were in default to prevent foreclosure.” *See* “Home Owners Loan Corporation,” *Roosevelt Institute*. March 22, 2012, accessed at: <http://rooseveltinstitute.org/home-owners-loan-corporation/>. [↑](#footnote-ref-19)
20. Badger, E., “How Redlining’s Racist Effects Lasted for Decades,” *The New York Times*. August 24, 2017, accessed at: <https://www.nytimes.com/2017/08/24/upshot/how-redlinings-racist-effects-lasted-for-decades.html>. [↑](#footnote-ref-20)
21. Smith-Thompson, T., “To Fix Segregation in Schools, We Must Understand How We Got Here,” *New York Civil Liberties Union*. May 16, 2018, accessed at: <https://www.nyclu.org/en/news/fix-segregation-schools-we-must-understand-how-we-got-here>. [↑](#footnote-ref-21)
22. Hinds, J. “Academic Segregation Hurts Public Schools,” *The Chief Leader*. March 18, 2019, accessed at: <http://thechiefleader.com/opinion/op-eds/academic-segregation-hurts-public-schools/article_489294fa-459c-11e9-9254-0b4bd462234b.html>. [↑](#footnote-ref-22)
23. “Current Campaign: Enrollment Equity,” *Teens Take Charge*. Accessed at: <https://www.teenstakecharge.com/campaign>. [↑](#footnote-ref-23)
24. In 2018, only 46.7% of students achieved proficiency. New York State Department of Education Spring 2018 Grades 3-8 Ela & Math Assessment Results. Accessed at: <http://www.nysed.gov/news/2018/state-education-department-releases-spring-2018-grades-3-8-ela-math-assessment-results>. [↑](#footnote-ref-24)
25. The Parthenon Group was a Boston consulting firm acquired by Ernst & Young in 2014. <https://www.parthenon.ey.com/po/en/home>. [↑](#footnote-ref-25)
26. Hinds, J. “Academic Segregation Hurts Public Schools,” *The Chief Leader*. March 18, 2019, accessed at: <http://thechiefleader.com/opinion/op-eds/academic-segregation-hurts-public-schools/article_489294fa-459c-11e9-9254-0b4bd462234b.html>. [↑](#footnote-ref-26)
27. Mickelson, R., “School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence,” October 2016, Research Brief No. 5, *The National Coalition on School Diversity*, accessed at <https://school-diversity.org/pdf/DiversityResearchBriefNo5Oct2016Big.pdf>. [↑](#footnote-ref-27)
28. *Id.* [↑](#footnote-ref-28)
29. Ayscue, J., Frankenberg, E., and Siegel-Hawley,G., “The Complementary Benefits of Racial and Socioeconomic Diversity in Schools.” Research Brief No. 10, *The National Coalition on School Diversity*, March 2017, accessed at <https://school-diversity.org/pdf/DiversityResearchBriefNo10.pdf>

<https://school-diversity.org/research-briefs/>. [↑](#footnote-ref-29)
30. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-30)
31. *Id.* [↑](#footnote-ref-31)
32. Citizens’ Committee for Children of New York, “Understanding Diversity in NYC’S Public Schools,” March 31, 2016, accessed at: <https://www.cccnewyork.org/blog/understanding-diversity-in-nycs-public-schools/>. [↑](#footnote-ref-32)
33. Mickelson, R., “School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence,” October 2016, Research Brief No. 5, *The National Coalition on School Diversity*. [↑](#footnote-ref-33)
34. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-34)
35. Stuart Wells, A., Fox, L., and Cordova-Coba, D., “How Racially Diverse Schools and Classrooms Can Benefit all Students,” *The Century Foundation.* February 9, 2016, p. 2, accessed at: <https://tcf.org/assets/downloads/HowRaciallyDiverse_AmyStuartWells.pdf>. [↑](#footnote-ref-35)
36. Mickelson, R., “School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence,” October 2016, Research Brief No. 5, *The National Coalition on School Diversity.* [↑](#footnote-ref-36)
37. Ayscue, J., Frankenberg, E., and Siegel-Hawley,G., “The Complementary Benefits of Racial and Socioeconomic Diversity in Schools.” Research Brief No. 10, *The National Coalition on School Diversity*, March 2017, accessed at <https://school-diversity.org/pdf/DiversityResearchBriefNo10.pdf>. [↑](#footnote-ref-37)
38. Mickelson, R., “School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence,” October 2016, Research Brief No. 5, *The National Coalition on School Diversity*. [↑](#footnote-ref-38)
39. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-39)
40. Mickelson, R., “School Integration and K-12 Outcomes: An Updated Quick Synthesis of the Social Science Evidence,” October 2016, Research Brief No. 5, *The National Coalition on School Diversity*. [↑](#footnote-ref-40)
41. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-41)
42. Stuart Wells, A., Fox, L., and Cordova-Coba, D., “How Racially Diverse Schools and Classrooms Can Benefit all Students,” *The Century Foundation.* February 9, 2016, p. 2, accessed at: <https://tcf.org/assets/downloads/HowRaciallyDiverse_AmyStuartWells.pdf>. [↑](#footnote-ref-42)
43. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-43)
44. *Id.* [↑](#footnote-ref-44)
45. *Id.* [↑](#footnote-ref-45)
46. *Id.* [↑](#footnote-ref-46)
47. The Century Foundation, “The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms,” February 10, 2016, accessed at: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/?session=1>. [↑](#footnote-ref-47)
48. *See* New York City Department of Education, “Demographic Snapshot.” Accessed at: <https://infohub.nyced.org/reports-and-policies/citywide-information-and-data/information-and-data-overview>. [↑](#footnote-ref-48)
49. *See* New York City Department of Education, Demographic Reports, Local Law 59 School Diversity Accountability Act- SY17-18, Admissions tab, accessed at:<https://infohub.nyced.org/reports-and-policies/government/intergovernmental-affairs/diversity-reports>. [↑](#footnote-ref-49)
50. *Id.* [↑](#footnote-ref-50)
51. *Id.* [↑](#footnote-ref-51)
52. ENI value is 1 for students who are eligible for public assistance; students who lived in temporary housing within the previous four years; or students whose home language is other than English and entered DOE schools for the first time within the past four years. “Otherwise, the student’s Economic Need Value is based on the percentage of families (with school-age children) in the student’s Census tract whose income is below the poverty level, as estimated by the American Community Survey 5-Year Estimate. The student’s Economic Need Value equals this percentage divided by 100.” A school’s ENI is the average of its students’ ENI Values. *See* New York City Department of Education, “Demographic Snapshot.” Accessed at: <https://infohub.nyced.org/reports-and-policies/citywide-information-and-data/information-and-data-overview>. [↑](#footnote-ref-52)
53. *Id.* [↑](#footnote-ref-53)
54. *Id.* [↑](#footnote-ref-54)
55. *See* New York City Department of Education, “Demographic Snapshot.” Accessed at: <https://infohub.nyced.org/reports-and-policies/citywide-information-and-data/information-and-data-overview>. [↑](#footnote-ref-55)
56. *See* New York City Department of Education, “Demographic Reports.” Local Law 59 School Diversity Accountability Act- SY17-18, Accessed at:<https://infohub.nyced.org/reports-and-policies/government/intergovernmental-affairs/diversity-reports>. [↑](#footnote-ref-56)
57. *Id.* [↑](#footnote-ref-57)
58. *See* New York City Department of Education, “Kindergarten.” Accessed at: <https://www.schools.nyc.gov/enrollment/enroll-grade-by-grade/kindergarten>. [↑](#footnote-ref-58)
59. *Id*. [↑](#footnote-ref-59)
60. *See* New York City Department of Education, Demographic Reports, Local Law 59 School Diversity Accountability Act- SY17-18, Admissions tab, accessed at:<https://infohub.nyced.org/reports-and-policies/government/intergovernmental-affairs/diversity-reports>. [↑](#footnote-ref-60)
61. InsideSchools.org website, “Citywide Middle Schools,” accessed 4/25/19 at <https://insideschools.org/insidetools/citywide-middle-schools>. [↑](#footnote-ref-61)
62. *Id.* [↑](#footnote-ref-62)
63. Merriam Webster, *accessed at* <https://www.merriam-webster.com/dictionary/school%20choice> [↑](#footnote-ref-63)
64. Mader, N., Hemphill, C., and Abbas, Q., “The Paradox of Choice: How School Choice Divides New York City Elementary Schools.” *The Center for New York City Affairs*, May 2018, at p. 5, accessed at: [https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5aecb1c3352f537d3541623b/1525461450469/The+Paradox+of+Choice.pdf](https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5aecb1c3352f537d3541623b/1525461450469/The%2BParadox%2Bof%2BChoice.pdf). [↑](#footnote-ref-64)
65. *Id* at p. 4. [↑](#footnote-ref-65)
66. *Id* at p. 3. [↑](#footnote-ref-66)
67. *Id.* [↑](#footnote-ref-67)
68. *Id.* [↑](#footnote-ref-68)
69. *Id.* [↑](#footnote-ref-69)
70. *Id* at p. 20*.* [↑](#footnote-ref-70)
71. *Id* at p. 20. [↑](#footnote-ref-71)
72. *Id.* [↑](#footnote-ref-72)
73. *Id* at p. 4. [↑](#footnote-ref-73)
74. *Id.* [↑](#footnote-ref-74)
75. *Id.* [↑](#footnote-ref-75)
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77. *See* New York City Department of Education, “2018 NYC High School Directory.” Accessed at: <http://schools.nyc.gov/NR/rdonlyres/243F4EC2-4ED4-4F1C-8A7D-DF4B8BD14771/0/2018NYCHSDirectoryCitywideENGLISH.pdf> at p.14. [↑](#footnote-ref-77)
78. Orfield, G., and Kuscera, J., “New York State’s Extreme School Segregation Inequity, Inaction and a Damaged Future.” *The Civil Rights Project*, March 2014,at p. 23, accessed at <https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/ny-norflet-report-placeholder/Kucsera-New-York-Extreme-Segregation-2014.pdf>. [↑](#footnote-ref-78)
79. Mader, N., Hemphill, C., and Abbas, Q., “The Paradox of Choice: How School Choice Divides New York City Elementary Schools.” *The Center for New York City Affairs*, May 2018, at pp.2-3, accessed at: [https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5aecb1c3352f537d3541623b/1525461450469/The+Paradox+of+Choice.pdf](https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5aecb1c3352f537d3541623b/1525461450469/The%2BParadox%2Bof%2BChoice.pdf). [↑](#footnote-ref-79)
80. *Id.* [↑](#footnote-ref-80)
81. *See* New York City Department of Education, “2018 NYC High School Directory,” at p. 14. Accessed at: <http://schools.nyc.gov/NR/rdonlyres/243F4EC2-4ED4-4F1C-8A7D-DF4B8BD14771/0/2018NYCHSDirectoryCitywideENGLISH.pdf>. [↑](#footnote-ref-81)
82. *See* New York City Department of Education, “Equity and Excellence for All: Diversity in New York City Public Schools” at p. 6. Accessed at <https://www.schools.nyc.gov/docs/default-source/default-document-library/diversity-in-new-york-city-public-schools-english> . [↑](#footnote-ref-82)
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84. *Id.* [↑](#footnote-ref-84)