Legislation Details (With Text)

File #:	Int 0045-2024	**Version:** A	**Name:**	Requiring the NYC department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools.
Type:	Introduction		**Status:**	Enacted
			In control:	Committee on Education
On agenda:	2/8/2024			
Enactment date:	4/18/2024		**Enactment #:**	2024/057

Title: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools

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Indexes: Report Required

Attachments: 1. Summary of Int. No. 45-A, 2. Summary Int. No. 45, 3. Int. No. 45, 4. February 8, 2024 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 2-8-24, 6. Committee Report 2/29/24, 7. Hearing Testimony 2/29/24, 8. Hearing Transcript 2/29/24, 9. Proposed Int. No. 45-A - 3/15/24, 10. Committee Report 3/19/24, 11. Hearing Transcript 3/19/24, 12. March 19, 2024 - Stated Meeting Agenda, 13. Hearing Transcript - Stated Meeting 3-19-24, 14. Int. No. 45-A (FINAL), 15. Fiscal Impact Statement, 16. Local Law 57, 17. Legislative Documents - Letter to the Mayor, 18. Minutes of the Stated Meeting - February 8, 2024, 19. Minutes of the Stated Meeting - March 19, 2024

Date	Ver.	Action By	Action	Result
2/8/2024	*	City Council	Introduced by Council	
2/8/2024	*	City Council	Referred to Comm by Council	
2/29/2024	*	Committee on Education	Laid Over by Committee	
2/29/2024	*	Committee on Education	Hearing Held by Committee	
3/19/2024	*	Committee on Education	Hearing Held by Committee	
3/19/2024	*	Committee on Education	Amendment Proposed by Comm	
3/19/2024	*	Committee on Education	Amended by Committee	
3/19/2024	A	Committee on Education	Approved by Committee	Pass
3/19/2024	A	City Council	Approved by Council	Pass
3/19/2024	A	City Council	Sent to Mayor by Council	
4/18/2024	A	Administration	City Charter Rule Adopted	
4/19/2024	A	City Council	Returned Unsigned by Mayor	

Int. No. 45-A

By Council Members Joseph, Louis, Brooks-Powers, Avilés, Farías, Cabán, Stevens, Gennaro, Rivera, Schulman, Gutiérrez, Krishnan, Hudson, Nurse, Hanks, Salaam, Marte, Riley, Banks, Bottcher, Won, Brewer,

Williams, Narcisse, Feliz, Hanif, Ung, Dinowitz and Marmorato

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the number of students in special programs in New York city public schools

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 522 of the New York city charter, as added by local law number 125 for the year 2005, is amended to read as follows:

c. Class size reporting. The department of education shall submit a report on class sizes to the city council [twice] 3 times annually, on or before November [fifteenth] 15, [and] February [fifteenth] 15, and June 30 of each year[, with respect to]. Each November 15 report shall reflect preliminary class sizes as of the preceding October 31, each February 15 report shall reflect updated class sizes as of the preceding October 31, and each June 30 report shall reflect class sizes as of the preceding June 15. Such reports shall include the following information regarding class sizes in New York city public schools:

1. For each school and, separately, for each academic program within a school or school building, including smaller schools housed within larger institutions and specialized programs, such as those for gifted students and for students with special needs, the average class size per grade of all classes, including classes primarily serving students with autism, and the actual class size of each class in such school or program;

2. For each school district [and for each region], the average class size per grade of all classes in such district [and region];

3. For each borough, the average class size per grade of all classes in such borough;

4. Citywide, the average class size per grade; and

5. A detailed description of the methodologies used to calculate all such grade size data reported.

6. Such report shall, when reporting data for middle school and high school classes with students in different grade levels, report class sizes per grade band and subject.

§ 2. Section 21-957 of the administrative code of the city of New York, as amended by local law number

223 for the year 2019 and subdivisions a and b of such section as amended by local law number 147 for the year 2023, is amended to read as follows:

§ 21-957 Annual report on the demographics of students in grades kindergarten through [eight] 8. Not later than December 31, 2015, and 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 community school district, school within such district, 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] 8 and the number and percentage of such students who:

1. Receive special education services;

2. Are English language learners;

3. Are eligible for the federal free or reduced price meals program;

4. Reside in temporary housing;

5. Are in foster care;

6. Are attending school out of the attendance zone in which the student resides; and

7. 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 level;

2. Race or ethnicity;

3. Gender;

4. Special education status;

5. English language learner status; and

6. Primary home language.

c. For each community school district, each borough, and citywide, the number and percentage of students enrolled in special programs in the preceding school year in grades kindergarten through 8 and the

number and percentage of students who:

1. Receive special education services;

2. Are English language learners;

3. Are eligible for the federal free or reduced price meals program;

4. Reside in temporary housing;

5. Are in foster care;

6. Are attending school out of the attendance zone in which the student resides; and

7. Are attending school out of the community school district in which the student resides.

d. The data provided pursuant to subdivision c shall be disaggregated by:

1. Program type;

2. Grade level;

3. Race or ethnicity;

4. Gender;

5. Special education status; and

6. English language learner status.

[c.] e. For students in grades [three] 3 through [eight] 8, the data provided pursuant to subdivision a of this section shall indicate:

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

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

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

1. The admissions process used by such school or special program, 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;

2. Any criteria or methods that are used 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] 8 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.] g. 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.] h. 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] 1 and [five] 5 students, or contains an amount that would allow another category that contains between [one] 1 and [five] 5 students to be deduced,

the number shall be replaced with a symbol. A category that contains [zero] 0 shall be reported as [zero] 0, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.

[g.] i. 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] 5 boroughs.

§ 3. This local law takes effect immediately.