



Legislation Details (With Text)

**File #:** Int 0729-2018 **Version:** A **Name:** Requiring the department of education to post information regarding the process used in determining identified seat need.

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

**On agenda:** 3/22/2018

**Enactment date:** 10/13/2018 **Enactment #:** 2018/167

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to post information regarding the process used in determining identified seat need

**Sponsors:** Ben Kallos, Carlos Menchaca, Brad S. Lander, Vanessa L. Gibson, Stephen T. Levin, Robert F. Holden, Laurie A. Cumbo, Carlina Rivera

**Indexes:** Report Required

**Attachments:** 1. Summary of Int. No. 729-A, 2. Summary of Int. No. 729, 3. Int. No. 729, 4. March 22, 2018 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 03-22-2018, 6. Minutes of the Stated Meeting - March 22, 2018, 7. Committee Report 4/18/18, 8. Hearing Testimony 4/18/18, 9. Hearing Transcript 4/18/18, 10. Proposed Int. No. 729-A - 9/5/18, 11. Committee Report 9/6/18, 12. Hearing Transcript 9/6/18, 13. September 12, 2018 - Stated Meeting Agenda with Links to Files, 14. Hearing Transcript - Stated Meeting 9-12-18, 15. Minutes of the Stated Meeting - September 12, 2018, 16. Fiscal Impact Statement, 17. Int. No. 729-A (FINAL), 18. Legislative Documents - Letter to the Mayor, 19. Local Law 167

Date	Ver.	Action By	Action	Result
3/22/2018	*	City Council	Introduced by Council	
3/22/2018	*	City Council	Referred to Comm by Council	
4/18/2018	*	Committee on Education	Hearing Held by Committee	
4/18/2018	*	Committee on Education	Laid Over by Committee	
4/18/2018	*	Committee on Finance	Hearing Held by Committee	
4/18/2018	*	Committee on Finance	Laid Over by Committee	
4/18/2018	*	Committee on Land Use	Hearing Held by Committee	
4/18/2018	*	Committee on Land Use	Laid Over by Committee	
9/6/2018	*	Committee on Education	Hearing Held by Committee	
9/6/2018	*	Committee on Education	Amendment Proposed by Comm	
9/6/2018	*	Committee on Education	Amended by Committee	
9/6/2018	A	Committee on Education	Approved by Committee	Pass
9/12/2018	A	City Council	Approved by Council	Pass
9/12/2018	A	City Council	Sent to Mayor by Council	
10/13/2018	A	Administration	City Charter Rule Adopted	
10/17/2018	A	City Council	Returned Unsigned by Mayor	

Int. No. 729-A

By Council Members Kallos, Menchaca, Lander, Gibson, Levin, Holden, Cumbo and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to post information regarding the process used in determining identified seat need

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 21 to read as follows:

CHAPTER 21

POSTING OF INFORMATION REGARDING THE PROCESS USED IN DETERMINING  
IDENTIFIED SEAT NEED

§ 21-988 Posting information regarding the process used in determining identified seat need. a.

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

Identified seat need. The term “identified seat need” means the number of seats required through the construction of new facilities to meet the enrollment needs in each community school district identified in the five-year educational facilities capital plan created by the department pursuant to section 2590-p of the education law.

Subdistrict. The term “subdistrict” means all geographic boundaries used by the department and the New York city school construction authority to identify where new capital funding will be targeted for building new schools as defined in section 21-989.

b. No later than December 1, 2019, and annually thereafter on or before December 1, the department shall, to the extent such information is accessible by the department, post conspicuously on its website a report, which shall include, but need not be limited to:

1. The process and inputs used to determine identified seat need, including but not limited to:

(a) any categories of non-quantitative criteria considered, which may include but need not be limited to, facility replacements, grade expansion and truncation, school rezonings, co-locating schools, and converting

space in existing facilities; and

(b) the following information, reported at the community school district level, if utilized:

(1) enrollment projections and related confidence intervals;

(2) information about projected new housing;

(3) any formula used for measuring capacity including class size goals;

(4) any relevant standards required for instructional space;

(5) any data used for determining a projected public school ratio; and

(6) any new capacity projects expected to be initiated during the plan period;

2. The identified seat need;

3. The number of seats lost, including through lost leases; and

4. The number of seats gained, including through leases.

c. The data provided in paragraph 2 of subdivision b of this section shall be listed for grade level kindergarten through 12 in total for the city school district and, if identified seat need is determined in such manner, shall also be listed by:

1. grade level nine through 12, disaggregated by borough;

2. grade level kindergarten through eight, disaggregated by community school district and subdistrict;

3. grade level six through eight, disaggregated by community school district and subdistrict; and

4. grade level kindergarten through five, disaggregated by community school district and subdistrict.

d. The data provided in paragraphs 3 and 4 of subdivision b of this section shall be listed for grade level kindergarten through 12 in total for the city school district, and shall also be listed by:

1. grade level nine through 12, disaggregated by borough;

2. grade level kindergarten through eight, disaggregated by community school district and subdistrict;

3. grade level six through eight, disaggregated by community school district and subdistrict; and

4. grade level kindergarten through five, disaggregated by community school district and subdistrict.

e. The data provided in paragraphs 2, 3 and 4 of subdivision b of this section shall be listed for prekindergarten programs in total for the city school district and, if available, by community school district.

f. All data provided pursuant to this section shall be provided in machine readable format.

g. Nothing in this section shall be construed to affect the authority or materially impede the ability of the department to determine the identified seat need or the methodology or information utilized in the determination of identified seat need.

§ 2. This local law takes effect immediately.

SMD/BG

LS #10515/Int. 1785-2017

LS #629

9/4/18 11:00 PM