



Legislation Text

File #: Int 1378-2016, **Version:** A

Proposed Int. No. 1378-A

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A Local Law to amend the administrative code of the city of New York, in relation to creating an office of school integration within the human rights commission dedicated to studying the prevalence and causes of racial segregation in public schools and developing recommendations for remedying such segregation

Be it enacted by the Council as follows:

Section 1. Paragraph c of section 905 of the New York city charter, as added by a vote of the electors on November 6, 2001, is amended to read as follows:

c. (1) to study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship; and (2) to study the prevalence and causes of racial segregation among kindergarten, primary and secondary public schools and develop recommendations for remedying such segregation.

§ 2. Subdivision (3) of section 8-105 of the administrative code of the city of New York, as amended by local law 39 for the year 1991, is amended to read as follows:

(3) (a) To study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship[.]; and (b) to study the prevalence and causes of racial segregation among kindergarten, primary and secondary public schools and develop recommendations for remedying such segregation.

§ 3. Subdivision (8) of section 8-105 of the administrative code of the city of New York, as amended by local law 39 for the year 1991, is amended to read as follows:

(8) To appoint such employees and agents as it deems to be necessary to carry out its functions, powers and duties and to assign to such persons any of such functions, powers and duties; provided, however, that the city shall have an office of school integration to be administered by the commission charged with analyzing and issuing recommendations for remedying racial segregation among kindergarten, primary and secondary public schools. Notwithstanding the foregoing, the commission shall not delegate its power to adopt rules, and[, provided further, that] the commission's power to order that records be preserved or made and kept pursuant to subdivision b of section 8-114 of this chapter and the commission's power to determine that a respondent has engaged in an unlawful discriminatory practice and to issue an order for such relief as is necessary and proper shall be delegated only to members of the commission. The expenses for the carrying on of the commission's activities shall be paid out of the funds in the city treasury. The commission's appointment and assignment powers as set forth in this subdivision may be exercised by the chairperson of the commission.

§ 4. Subdivision (10) of section 8-105 of the administrative code of the city of New York, as amended by local law 29 for the year 2015, is amended to read as follows:

(10) To submit an annual report by March 1 to the mayor and the council which shall be published in the City Record. Such annual report shall include information for the calendar year that is the subject of the report regarding: (i) inquiries received by the commission from the public; provided that such information for calendar years 2009 and 2010 must only be included in the annual report submitted by March 1, 2012, (ii) investigations initiated by the commission; (iii) complaints filed with the commission, (iv) findings and recommendations regarding racial segregation among public schools developed pursuant to subdivision (8) of this section, and [(iv)](v) education and outreach efforts made by the commission. (a) The information regarding inquiries received by the commission from the public shall include, but not be limited to: (i) the total number of inquiries; (ii) the number of inquiries made by limited English proficient persons disaggregated by language; (iii) the subject matter of inquiries disaggregated by the alleged category of unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class of person, and (iv)

the number of inquiries resolved by pre-complaint intervention.

(b) The information regarding investigations initiated by the commission shall include, but not be limited to: (i) the total number of investigations initiated by the commission disaggregated by the category of unlawful discriminatory practice as set forth by sections 8-107 and 8-107.1(2) of this chapter and the protected class at issue; (ii) the total number of commission-initiated complaints filed pursuant to section 8-109 of this chapter after an investigation finding that a person or group of persons may be engaged in a pattern or practice of discrimination; (iii) the total number of investigations referred to the corporation counsel for the purpose of commencing a civil action pursuant to chapter four of this title; and (iv) the total number of publications and reports of investigations designed to promote good will and minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby.

(c) The information regarding complaints filed with the commission shall include, but not be limited to, the number of complaints filed with the commission and shall be disaggregated by: (i) the category of unlawful discriminatory practice, as set forth by sections 8-107 and 8-107.1(2) of this chapter, alleged; (ii) the basis of the alleged discriminatory practice based on protected class of the complainant; (iii) whether the complaint was resolved by mediation and conciliation, as set forth in section 8-115 of this chapter; a determination of no probable cause, as set forth in section 8-116 of this chapter; or a hearing, as set forth by section 8-119 of this chapter; (iv) the number of days the complaint was outstanding at the time such resolution occurred; and (v) whether a fine, penalty, or cash award was imposed and, if so, the dollar amount of such fine, penalty or cash award.

(d) The information regarding the commission's education and outreach efforts as required by sections 8-105(1) and 8-105(2) of this chapter shall include, but not be limited to: (i) the types of outreach initiated; (ii) the number of people with whom the commission made contact as a result of outreach; (iii) the number of limited English proficient persons served; and (iv) the languages in which such outreach was conducted.

(e) The information regarding the commission's findings and recommendations relating to the

prevalence and causes of racial segregation in public schools shall include, but not be limited to, the impact of specific public policies, laws or administrative practices on school diversity and recommendations for change.

§ 5. This local law takes effect 120 days after it becomes law, except that the commission on human rights may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

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LS #7245
3/15/17