



Legislation Text

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Int. No. 452

By Council Member Dromm

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information regarding alternate learning centers

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 21-959.1 to read as follows:

§ 21-959.1 Annual report on alternate learning centers. a. Definitions. For purposes of this section, the following terms have the following meanings:

Alternate learning center. The term “alternate learning center” means a school administered under the authority of the department providing instructional programs for students in grades 6 through 12 who are on superintendent’s suspension.

PBIS de-escalation. The term “PBIS de-escalation” means positive behavior interventions and supports employed for the purpose of supporting student’s social, emotional and academic success.

Restorative justice. The term “restorative justice” means an approach to discipline that focuses on repairing harm with an emphasis on learning and community involvement.

Superintendent’s suspension. The term “superintendent’s suspension” means any period of student suspension that exceeds five days during which time the student attends an alternate learning center.

b. Annual reporting. By November 1 of each year, the department shall submit to the council and post on its website a report containing the following data for each alternate learning center, with such data calculated as of the end of the immediately preceding school year:

1. The total number of students who attended the center;
2. The number and percentage of total students who attended the center two or more times;
3. The number of teachers trained in restorative justice and PBIS de-escalation techniques, respectively;
4. The number and percentage of total students who have attended a center for:
  - (i) Up to 30 days;
  - (ii) Between 31 and 60 days;
  - (iii) Between 61 and 90 days; and
  - (iv) 91 or more days;
5. The average ratio of teachers to students;
6. The average number of credits accumulated per student;
7. For students with an IEP:
  - (i) The number and percentage of total students; and
  - (ii) The number and percentage of students with an IEP whose behavior was a manifestation of their disability and resulted in a suspension;
8. The number and percentage of total students who were involved in any court proceedings;
9. The number and percentage of total students who were on probation;
10. The number and percentage of total students who were discharged to, or previously spent time in the custody of, the department of corrections or administration for children's services limited secure or non-secure detention.
11. The number and percentage of total students who had a hearing before the issuance of a superintendent's suspension;
12. The types of offenses for which students received a superintendent's suspension; and
13. Whether protocols were followed for transition back to the school from which a student was suspended.

c. Demographic information. The data provided pursuant to paragraphs 1 and 2 of subdivision b of this section shall be disaggregated by:

1. Grade level;

2. Race or ethnicity;

3. Gender; and

4. For students who are English language learners, primary home language.

d. Privacy of student information. 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 and 9 students, or allows another category to be narrowed to between 0 and 9 students, the number shall be replaced with a symbol.

§ 2. This local law takes effect 45 days after it becomes law.

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