



Legislation Text

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Int. No. 2138

By Council Members Kallos, Louis, Treyger, the Public Advocate (Mr. Williams) and Council Members Levin, Rosenthal and Chin (in conjunction with the Manhattan and Brooklyn Borough Presidents)

A Local Law to amend the administrative code of the city of New York, in relation to providing every public school student with an internet ready laptop computer

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new title 34 to read as follows:

Title 34: Department of Information Technology and Telecommunications

Chapter 1: General Provisions

§ 34-101 Definitions. As used in this title, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of information technology and telecommunications.

Department. The term “department” means the department of information technology and telecommunications.

Open digital text book. The term “open digital text book” means a textbook licensed under an open copyright license, and made available online to be freely used by students, teachers and members of the public.

Student. The term “student” means any pupil under the age of 21 as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a district school within the city district, not including pre-kindergarten students.

§ 34-102 Laptop computers. In consultation with the department of education and any other agency the

commissioner deems necessary, the department shall provide every student with a laptop computer. Such laptop computers shall be internet enabled and include open digital text books and education materials, subject to approval by the chancellor of the city school district of the city of New York. Such distribution shall be subject to terms and conditions as determined by the commissioner in consultation with the department of education.

Chapter 2: Reporting

§ 34-201 Reporting on laptop computers. a. On or before December 1, 2021, and annually thereafter, the department shall submit to the mayor and speaker of the council and post on the department's website a laptop computer report reflecting information as of September 1 of the year in which the report is issued, which shall include, but not be limited to, the following:

1. The number of laptop computers, and the brand and model of such laptop computers, in the custody of the department and the date on which the count was conducted;

2. The number; cost per unit, and brand and model of new laptop computers purchased by the department since the date of the last report submitted pursuant to this section. The department shall also list the reasons for the purchase of new laptop computers and the source of funds used to purchase such new laptop computer;

3. The number of laptop computers no longer in the custody of the department since the date of the last report submitted pursuant to this subdivision and the reason for such loss of custody;

4. The number of laptop computers (i) requested by and (ii) loaned to the department of education;

5. The number of laptop computers requested by students, the number of laptop computers provided to students, and the number of students placed on a waitlist for a laptop computer; and

6. The annual cost to the department to maintain an inventory of laptop computers. Such cost shall be further disaggregated by repair cost and general maintenance cost;

b. The information required pursuant to paragraph 5 of subdivision a of this section shall, to the extent practicable, be reported citywide by number and percentage and cross-reference by (i) class level, (ii) gender, (iii) race or ethnicity, (iv) special education status, (v) English language learner status; (vi) primary home

language, and (vii) status as a student in temporary housing. Such information shall also be reported by borough, community school district, and school and cross-referenced by (i) class level, (ii) gender, (iii) race or ethnicity, (iv) special education status, (v) English language learner status; (vi) primary home language, and (vii) status as a student in temporary housing.

c. As part of its laptop computer distribution program, the department, in consultation with the department of education, shall survey every student who requests a laptop computer for the following information:

1. If such student has a computer at home, whether it be a desktop, laptop or other tablet device;
2. If such student has broadband internet at home;
3. If such student has a 4G or 5G Access Point at home; and
4. If such student is receiving internet assistance through a telecommunications company.

The department shall ensure that each student who receives such survey is advised that such survey is not mandatory or required to receive a laptop computer or otherwise mandatory as a function of being a student. The department shall ensure that the survey remains anonymous and that no individual student is personally identified.

d On August 1, 2022, and annually thereafter, the department shall submit to the mayor and speaker of the council and post on the department's website a laptop computer report which shall include, but not be limited to, the following:

1. The number of laptop computers, and brand and model, in the custody of the department and the date on which the count was conducted; and
2. The number of laptop computers returned by the department of education since the end of the academic year in the year which the report required pursuant to this subdivision is issued. If such number differs from the number in paragraph 4 of the report required pursuant to subdivision a of this section, a detailed explanation of why the numbers differ.

e. The reports required pursuant to this section shall be archived and remain publicly available for three years on the department's website.

f. No information that is otherwise required to be reported pursuant to this subdivision 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 and five students, or allows another category to be narrowed to between one and five students, the number shall be replaced with a symbol. A category that contains zero students 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.

Chapter 3: Rules

§ 34-301 The commissioner may promulgate rules for the implementation of this title.

§ 2. This law takes effect 180 days after it becomes law.

MMB
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