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Int. No. 1009

By Council Members Restler, Zhuang, Gutiérrez, Powers, Ung, Hanif and Brannan

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on early childhood education seat availability, outreach, and staff vacancies

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 36 to read as follows:

CHAPTER 36

EARLY CHILDHOOD EDUCATION PROGRAMS

§ 21-1007 Definitions. For purposes of this chapter, the following terms have the following meanings:

3-K. The term "3-K" means an early childhood education program operated or overseen by the department primarily serving children 3 years old, including, but not necessarily limited to, programs located in district schools, charter schools, pre-K centers, NYC early education centers, or family child care programs.

Charter school. The term "charter school" means a charter school established pursuant to article 56 of title 2 of chapter 16 of the education law and within the city of New York.

Community-based organization. The term "community-based organization" means a non-profit organization representing the needs of and providing services to a particular community.

District school. The term "district school" means an elementary school within the city school district of the city of New York.

Extended day and year. The term "extended day and year" means a 3-K or pre-K seat that provides early care and education for up to 10 hours of care a day, year-round.

Family child care program. The term "family child care program" means a 3-K or pre-K program located in a home setting and operated by a New York state licensed child care provider.

Head start. The term "head start" means a 3-K or pre-K seat established pursuant to subchapter 2 of chapter 105 of title 42 of the United States code.

NYC early education center. The term "NYC early education center" means a community-based organization that contracts with the department to provide 3-K or pre-K programs.

Pre-K. The term "pre-K" means an early childhood education program operated or overseen by the department primarily serving children 4 years old, including, but not necessarily limited to, programs located in district schools, charter schools, pre-K centers, NYC early education centers, or family child care programs.

Pre-K center. The term "pre-K center" means a stand-alone facility operated by the department that exclusively serves 3-K and pre-K students.

School day. The term "school day" means a 3-K or pre-K seat that provides early care education for 6 hours and 20 minutes every weekday during the school year.

Student. The term "student" means a pupil under the age of 6 who is enrolled in a 3-K or pre-K program operated or overseen by the department.

§ 21-1008 Reporting on 3-K applicants, seat capacity, enrollment, and vacancies. a. No later than September 15, 2024, and every 3 months thereafter, the chancellor shall submit to the speaker of the council and post on the department's website a report on 3-K for the current and upcoming school year. Such report shall include, but need not be limited to, the following information for each 3-K program:

1. The number of applicants for:

(a) General education seats, and

(b) Special education seats.

2. The number of:

(a) General education seats, and

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(b) Special education seats.

3. The number of students enrolled in:

(a) General education seats, and

(b) Special education seats.

4. The number of vacant:

(a) General education seats, and

(b) Special education seats.

b. The data provided pursuant to subdivision a of this section shall be disaggregated by all combinations of:

1. Seat type, including, but not limited to, school day, extended day and year, and head start; and

2. Seat setting, including, but not limited to, district school, charter school, pre-K center, NYC early education center, and family child care program. For any 3-K program located in a district school, the data shall include the school name and school ID.

c. The data reported pursuant to this section shall be disaggregated by zip code, community school district, and borough, and shall be aggregated citywide.

d. Each report submitted pursuant to this section shall include the data collection date.

§ 21-1009 Reporting on pre-K applicants, seat capacity, enrollment, and vacancies. a. No later than September 15, 2024, and every 3 months thereafter, the chancellor shall submit to the speaker of the council and post on the department's website a report on pre-K for the current and upcoming school year. Such report shall include, but need not be limited to, the following information for each pre-K program:

1. The number of applicants for:

(a) General education seats, and

(b) Special education seats.

2. The number of:

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(a) General education seats, and

(b) Special education seats.

3. The number of students enrolled in:

(a) General education seats, and

(b) Special education seats.

4. The number of vacant:

(a) General education seats, and

(b) Special education seats.

b. The data reported pursuant to subdivision a of this section shall be disaggregated by all combinations of:

1. Seat type, including school day, extended day and year, or head start; and

2. Seat setting, including district school, charter school, pre-K center, NYC early education center, or family child care program. For any pre-K program located in a district school, the data shall include the school name and school ID.

c. The data reported pursuant to this section shall be disaggregated by zip code, community school district, and borough, and shall be aggregated citywide.

d. Each report submitted pursuant to this section shall include the data collection date.

§ 21-1010 Reporting on 3-K and pre-K outreach. No later than October 31, 2024, and annually thereafter, the chancellor shall submit to the speaker of the council and post on the department's website a report on any department outreach to inform the public about 3-K and pre-K. Such report shall include, but need not be limited to, the following information for the current school year and, as applicable, for the upcoming school year:

1. The number of department staff assigned to 3-K outreach, disaggregated by whether such staff is assigned to 3-K outreach full-time or part-time;

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2. The number of department staff assigned to pre-K outreach, disaggregated by whether such staff is assigned to pre-K outreach full-time or part-time;

3. The estimated number of households reached by 3-K outreach;

4. The estimated number of households reached by pre-K outreach;

5. The budgeted amount for 3-K outreach;

6. The budgeted amount for pre-K outreach;

7. A table in which each row references an outreach event related to 3-K or pre-K, hosted or attended by department staff, including a unique identification code for each outreach event, and that indicates for each outreach event whether the outreach event was for 3-K or pre-K, the number of attendees, date, time, borough, council district, and zip code; and

8. A table in which each row references an advertising type related to 3-K or pre-K outreach, including, but not limited to, online, television, radio, print, or subway advertisements, and that indicates whether the advertising was for 3-K or pre-K and the duration of use, languages, and cost of each advertising type.

§ 21-1011 Reporting on 3-K and pre-K staff vacancies. No later than October 31, 2024, and annually thereafter, the chancellor shall submit to the speaker of the council and post on the department's website a report on the number and percentage of staff vacancies in each 3-K and pre-K program as of the first day of the school year, disaggregated by staff title. Such percentage shall be calculated by dividing the number of vacant positions by the total number of budgeted positions for each staff title.

§ 2. This local law takes effect immediately.

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