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Int. No. 376

By Council Members Paladino, Ariola, Carr, Louis, Wong and Morano

A Local Law to amend the administrative code of the city of New York, in relation to reporting on criteria for mask mandates in schools within the city school district upon the implementation of such a mandate and monthly thereafter for the duration of such a mandate

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-970 to read as follows:

§ 21-970 Reports on masking criteria for students in New York City public schools.

a. Upon implementing a mask mandate in schools and monthly thereafter for the duration of such a mandate, the chancellor shall submit to the speaker of the council and shall post conspicuously on the department's website a report regarding the criteria the department uses in deciding whether to implement or maintain mask mandates in schools within the city school district.

b. The report shall include but not be limited to the following information, as well as any additional information the chancellor deems appropriate:

1. A list of the criteria the department uses to determine whether to implement or maintain a mask mandate in schools within the city district, noting whether mental health repercussions for students are on the list of criteria;

2. A justification for each of the criteria used, and if mental health repercussions for students are not used, a justification for its omission from the list of criteria;

3. A list of experts the department relied on to formulate its list of criteria; and

4. A description of the department's decision making process for implementing its criteria in imposing or maintaining a mask mandate in public schools.

c. The report required by subdivision b of this section shall include a data dictionary.

d. No report required by subdivision b of this section shall contain personally identifiable information.

e. 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 one and five students, or contains an amount that would allow another category that contains between one and five students to be deduced, the number shall be replaced with a symbol. A category that contains zero 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.

§ 2. This local law takes effect immediately.

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