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Int. No. 327-B

By Council Members Narcisse, Louis, Schulman, Maloney, Feliz, Salaam, Wong, Brooks-Powers, Abreu, Dinowitz, Banks, Gennaro, Felder, Paladino, Morano, Ariola and Vernikov

A Local Law to amend the administrative code of the city of New York, in relation to reimbursing nonpublic schools for the cost of video surveillance cameras

Be it enacted by the Council as follows:

Section 1. The heading of section 10-172 of the administrative code of the city of New York, as added by local law number 2 for the year 2016, is amended to read as follows:

§ 10-172 Security guards [in] and video surveillance camera reimbursements for nonpublic schools.

§ 2. The definitions of "allowable costs" and "qualifying nonpublic school" in subdivision a of section 10-172 of the administrative code of the city of New York, such definition of "allowable costs" as added by local law number 2 for the year 2016, and such definition of "qualifying nonpublic school" as amended by local law number 4 for the year 2025, are amended to read as follows:

"Allowable costs" means, except for purposes of subdivision o of this section, (i) security guard wages equal to the prevailing wage and supplements, subject to provisions of this section governing the reimbursement of such costs, and (ii) reasonable costs, as established by rules promulgated by the administering agency, paid by qualifying nonpublic schools to security guard companies. "Allowable costs" shall include the cost of training that may be required pursuant to this section, but only to the extent that such training is not otherwise required by article 7-A of the general business law or any other federal, state, or local law or regulation, and shall not include any costs for overtime that are greater than fifteen percent of the non-overtime security wages reimbursed to a qualifying nonpublic school. For purposes of subdivision o of this

section, "allowable costs" means reasonable costs, as established by rules promulgated by the administering agency, paid by qualifying nonpublic schools for the purchase and installation of video surveillance cameras.

"Qualifying nonpublic school" means any nonprofit elementary or secondary school in the city that (a) is other than (i) a school of the city school district of the city of New York, or (ii) a school that shares space with a school of the city school district of the city of New York, (b) is providing instruction in accordance with the education law, (c) has been assigned a Basic Educational Data System (BEDS) code by the New York state department of education, or a similar successor identifier, and (d) is serving students in any combination of grades pre-kindergarten through twelve, provided that, for purposes of subdivision o of this section, "qualifying nonpublic school" shall not include any school operating pursuant to article 56 of the education law.

§ 3. Subdivision a of section 10-172 is amended by adding new definitions of "tuition" and "video surveillance camera" in alphabetical order to read as follows:

"Tuition" means the total annual cost for a student to attend a qualifying nonpublic school, including any charges and fees, such as fees for registration, equipment, materials, and activities, and excluding any discounts or scholarships.

"Video surveillance camera" means a video recording device used to monitor and record activity in a specific area for safety purposes.

§ 4. Section 10-172 of the administrative code of the city of New York is amended by adding a new subdivision o to read as follows:

o. Nonpublic school video surveillance camera reimbursement program. The mayor may authorize the administering agency to establish a program to reimburse qualifying nonpublic schools for the cost of purchasing and installing video surveillance cameras as set forth in this subdivision upon determining that such program would enhance public safety, in which case the remaining provisions of this subdivision shall be applicable.

1. Upon request of a qualifying nonpublic school, the administering agency shall reimburse such

qualifying nonpublic school for the allowable costs for the purchase and installation of video surveillance cameras to monitor and record all activities within an area extending 15 feet from the exterior of any entrance or exit of such school, provided that a qualifying nonpublic school shall submit such a request no more than once every 6 years, and provided further that a qualifying nonpublic school shall not request reimbursement for any video surveillance camera purchased prior to the effective date of the local law that added this subdivision.

2. (a) The administering agency shall promulgate rules regarding the amount of reimbursement for a qualifying nonpublic school pursuant to this subdivision. In promulgating such rules, the administering agency may consider the following factors:

(1) the cost of tuition of a qualifying nonpublic school;

(2) the number of entrances and exits in regular use at a qualifying nonpublic school, provided that the administering agency may define "regular use" for purposes of such rules; and

(3) any other factor deemed appropriate by the administering agency to determine a qualifying nonpublic school's financial ability to purchase and install video surveillance cameras.

(b) Reimbursement of the allowable costs for video surveillance cameras pursuant to such rules shall be no more than:

(1) $10,000 for a qualifying nonpublic school that enrolls from 150 to 499 students;

(2) $15,000 for a qualifying nonpublic school that enrolls from 500 to 999 students; and

(3) $20,000 for a qualifying nonpublic school that enrolls more than 999 students.

(c) For purposes of this subdivision, students with respect to whom the city separately provides assistance that includes funding for security shall not be included in the reimbursement determination. Further, the term "student" shall refer to the full-time equivalent thereof, based upon a 6-hour and 20-minute school day for a student.

3. Notwithstanding the provisions of paragraphs 1 and 2 of this subdivision, a qualifying nonpublic school shall not be eligible to receive reimbursement for video surveillance cameras from the administering

agency unless:

(a) The request for such reimbursement is made in a form and manner prescribed by the administering agency;

(b) The nonpublic school reports criminal and other significant public safety-related incidents to the police department or other appropriate government agency promptly after such incidents occur and in annual summary reports, in accordance with rules promulgated by the administering agency; and

(c) The nonpublic school complies with rules promulgated by the administering agency.

4. The administering agency shall provide reimbursement of allowable costs for video surveillance cameras pursuant to this subdivision through a one-time payment after receiving satisfactory proof from the qualified nonpublic school of compliance with the requirements for reimbursement for video surveillance cameras set forth in this section.

5. The administering agency may promulgate any rules as may be necessary for the purposes of carrying out the provisions of this subdivision in an efficient and equitable manner, including, but not limited to, rules relating to the form and manner of a request for reimbursement for video surveillance cameras, and the documentation a qualifying nonpublic school shall submit with such a request.

6. Any qualifying nonpublic school that operates in more than one address shall be eligible for reimbursement for the allowable costs for video surveillance cameras at each such address provided that the eligibility requirements set forth in this subdivision are satisfied at each such address.

§ 5. This local law takes effect July 1, 2027.

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