

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2011**

No. 43

Introduced by Council Members Fidler, Brewer, Cabrera, Comrie, Dromm, Ferreras, Gentile, Gonzalez, James, Lander, Mealy, Palma, Recchia, Rose, Sanders Jr., Vacca, Vann, Williams, Mendez, Koslowitz, Dickens, Jackson, Koppell, Eugene, Nelson, Levin, Van Bramer, Arroyo, Weprin, Gennaro, Barron, Chin, Rodriguez, Greenfield, Halloran and Ulrich

A LOCAL LAW

To amend the New York city charter, in relation to requiring the department of education to provide data regarding students who were transferred to an alternate school as a result of a school closure.

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 530-c to read as follows:

§530-c Student graduation reporting data. a. For the purposes of this section:

- 1. "Alternative education program" shall mean any program that is specifically designed to meet the academic needs of traditionally underperforming students.*
- 2. "Department" shall mean the department of education of the city of New York.*
- 3. "Self-contained" shall mean any special education program wherein special education students are not integrated with general education students during academic instruction.*

b. Not later than February 1st of the year two thousand and twelve and on an annual basis thereafter, the chancellor of the city school district of the city of New York shall submit to the council and post on the department's website, a report which identifies schools under the

jurisdiction of such district that have been closed during the previous school year and the number of students at each such school who did not complete their respective graduation requirements prior to the closure of such school. Such report shall include, but not be limited to, the following information with respect to such students who did not complete graduation requirements in the prior school year:

- 1. The total number and percentage of students at each such school assigned to a different school and the school to which each such student was assigned, including, but not limited to, alternative education programs, young adult borough center programs and general education development programs.*
- 2. The total number and percentage of students who were absent from school 0 to 20, 21-40, 41-60, 61-80, and 81-100 percent of the time in the prior school year.*
- 3. The total number and percentage of students who utilized a credit recovery option in order to accumulate credits.*
- 4. The total number and percentage of students receiving special education services including, but not limited to, students assigned to self-contained programs.*
- 5. The total number and percentage of students who were assigned a dropout code by the department including, but not limited to, students who were identified by the department as having an unknown address, exceeding 21 years of age, entering military service or voluntarily withdrawing.*
- 6. For students in grades nine through twelve, the total number and percentage of students at each school whose grade point average was recorded below 2.0; between 2.0 and 3.0; and between 3.0 and 4.0.*
- 7. All information required by this subdivision shall be disaggregated by grade, age as of December 31st of the previous calendar year, race/ethnicity, gender, English language*

learner status, and special education status.

8. All information required by this subdivision shall be aggregated citywide, as well as disaggregated by borough and community school district.

c. 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. Effect of invalidity; severability. If any section, subdivision, paragraph, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§3. This local law shall take effect ninety days after its enactment into law

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council onJune 29, 2011..... and approved by the Mayor onJuly 11, 2011.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 43 of 2011, Council Int. No. 364-A) contains the correct text and was passed by the New York City Council on June 29, 2011 approved by the Mayor on July 11, 2011 and returned to the City Clerk on July 11, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.