

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2017**

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**No. 215**

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Introduced by Council Members Kallos, Levin, Cabrera, Constantinides, Eugene, Gentile, Miller, Mendez, Torres, Menchaca, Lander, Treyger, Richards, Chin, Rosenthal, Dromm and Rose.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to requiring the department of education to provide data related to student participation in meals provided by the department in school**

*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 13 to read as follows:

*Chapter 13. School Meal Participation*

*§ 21-975 School meal participation data. a. For the purposes of this section, the following terms have the following meanings:*

*After school snacks. The term “after school snacks” means a meal that consists of two food items offered during afterschool educational or enrichment activities.*

*After school supper. The term “after school supper” means a meal that consists of five food items offered during afterschool educational or enrichment activities.*

*Breakfasts served after the bell. The term “breakfasts served after the bell” means a complete breakfast served in the classroom after the school day begins or breakfast via grab and go carts.*

*Breakfast via grab and go carts. The term “breakfast via grab and go carts” means breakfast that is provided by the department that can be picked up from the cafeteria or from a designated location.*

*School. The term “school” means a school of the city school district of the city of New York that contains any combination of grades from and including pre-kindergarten through grade 12.*

*b. No later than October 1, 2018, and no later than October 1 annually thereafter, the department shall submit to the speaker of the council and post on the department’s website a report for the previous school year which shall, at minimum, include:*

*1. the average daily number of breakfasts served in the cafeteria by the department before the school day begins;*

*2. the average daily number of breakfasts served after the bell;*

*3. the total number of schools that offer (i) a complete breakfast served in the cafeteria before the school day begins; (ii) a complete breakfast served in the classroom after the school day begins and (iii) breakfast via grab and go carts;*

*4. the total number of schools that have a salad bar in their cafeteria;*

*5. the average daily number of after school snacks served by the department;*

*6. the average daily number of after school suppers served by the department;*

*7. a complete list of the food items offered for each of the following (i) breakfast served in the cafeteria before the school day begins; (ii) breakfast served in the classroom after the school day begins; (iii) breakfast via grab and go carts; (iv) after school snacks; (v) after school supper; (vi) salad bars and (vii) lunch;*

8. a list of the food items that are offered every day for each of the following: (i) breakfast served in the cafeteria before the school day begins; (ii) breakfast served in the classroom after the school day begins; (iii) breakfast via grab and go carts; (iv) after school snacks; (v) after school supper; (vi) salad bars and (vii) lunch; and

9. the average daily number of lunches served by the department.

c. Such report shall also include the steps the department has taken to increase participation in the after school snack and after school supper programs; breakfast programs, including breakfasts served after the bell; salad bars and lunch programs, including, but not limited to, information regarding special initiatives undertaken and proposed by the department to increase student participation in such meals. Beginning with the report due on October 1, 2019, such report shall compare the data required pursuant to this section from year to year. If the department no longer provides breakfast served in the cafeteria before the school day begins, breakfast served in the classroom after the school day begins, breakfast via grab and go carts, after school snacks, after school supper or salad bars, such report shall include a narrative explanation as to why such meals are no longer provided.

d. All information required to be reported pursuant to this section shall be aggregated citywide, as well as disaggregated by school, community school district and borough.

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 interest of law enforcement.

§ 2. This local law takes effect immediately.

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 on October 31, 2017 and returned unsigned by the Mayor on December 5, 2017.

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

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 215 of 2017, Council Int. No. 773-B of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.