

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2020**

No. 16

Introduced by Council Members Treyger, Levin, Rose, Lander, Kallos, Lancman, Rosenthal, Barron, Ayala, Louis, Vallone and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of education to provide district-level data regarding compliance rates for students' individualized education programs

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 21-955 of the administrative code of the city of New York, as amended by introduction number 1406-A for the year 2019, is amended by adding a new definition of "service recommendation" in alphabetical order to read as follows:

Service recommendation. The term "service recommendation" means the type of services outlined in an individualized education program, including consultant teacher services, resource room programs, integrated co-teaching services, and special class as such terms are defined in section 200.1 of title 8 of the New York codes, rules and regulations.

§ 2. Paragraphs 12 and 13 of subdivision b of section 21-955 of the administrative code of the city of New York, as added by local law number 27 for the year 2015, are amended to read as follows:

12. the number and percentage of students, *disaggregated by service recommendation, school and community school district*, who were receiving special education services:

(i) in full compliance with their IEPs by the end of the academic period; and

(ii) in partial compliance with their IEPs by the end of the academic period;

13. the number and percentage of students, *disaggregated by service recommendation, school and community school district*, who, by the end of the academic period, were receiving in full the services enumerated in subparagraphs [(i)] (a) through [(viii)] (h) of this paragraph as recommended on their IEPs, the number and percentage of students who as of the end of the academic period were receiving in part such services, and the number and percentage of students who were awaiting the provision of such services:

[(i) monolingual] (a) *Monolingual* speech therapy;

[(ii) bilingual] (b) *Bilingual* speech therapy;

[(iii) monolingual] (c) *Monolingual* counseling;

[(iv) bilingual] (d) *Bilingual* counseling;

[(v) occupational] (e) *Occupational* therapy;

[(vi) physical] (f) *Physical* therapy;

[(vii) hearing] (g) *Hearing* education services; [and]

[(viii) vision] (h) *Vision* education services;

§ 3. Paragraph 14 of subdivision b of section 21-955 of the administrative code of the city of New York, as added by local law number 27 for the year 2015, is renumbered as paragraph 15, and a new paragraph 14 is added to such subdivision to read as follows:

14. The number and percentage of students, disaggregated by service recommendation, school and community school district, who have a behavioral intervention plan; and

§ 4. Subdivision d of section 21-955 of the administrative code of the city of New York, as amended by local law number 89 for the year 2018, is amended to read as follows:

d. [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 1 and 5 students, or allows another category to be narrowed to between 1 and 5 students, the number shall be replaced with a symbol.] *The report required by subdivision b of this section shall also include, to the extent practicable, a narrative description of the provision of special education services for students enrolled in district 79 schools and programs.*

§ 5. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, in relation to requiring reports on preschool special education and early intervention services, as proposed in introduction number 1406-A for the year 2019, takes effect, except that section 3 of this local law takes effect January 1, 2022.

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 December 19, 2019 and returned unsigned by the Mayor on January 21, 2020.

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. 16 of 2020, Council Int. No. 559-A of 2018) 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.

STEPHEN LOUIS, Acting Corporation Counsel.