

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

No. 17

Introduced by Council Members Kallos, Levin, Rose, Lander, 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 report quarterly on compliance with students' individual education programs and to expand the services on which the department is required to annually report

Be it enacted by the Council as follows:

Section 1. The heading 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 amended to read as follows:

§ 21-955 [Annual reporting] *Reporting* on special education services.

§ 2. 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 "reporting period" in alphabetical order to read as follows:

Reporting period. The term "reporting period" means, as applicable, the period between July 1 of the prior calendar year until and including October 31 of the prior calendar year, for the report due on February 1; the period between November 1 of the prior calendar year until and including March 31 of the current calendar year, for the report due on June 1 and the period between April 1 of the current calendar year and June 30 of the current calendar year, for the report due on September 1 of the current calendar year.

§ 3. Paragraph 13 of subdivision b of section 21-955 of the administrative code of the city of New York, as amended by introduction number 559-A for the year 2019, is amended by adding new subparagraphs (i) and (j) to read as follows:

(i) Assistive technology services; and

(j) Special transportation services.

§ 4. 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 by adding a new subdivision e to read as follows:

e. Beginning on September 1, 2020, the department shall also submit to the speaker of the council and post on the department's website a report regarding the provision of special education services during the applicable reporting period, including but not limited to the following information:

1. The number and percentage of students who were receiving special education services: (i) in full compliance with their IEPs by the end of the reporting period; and (ii) in partial compliance with their IEPs by the end of the reporting period;

2. The number and percentage of students who, by the end of the reporting period, were receiving in full the services enumerated in subparagraphs (a) through (j) of this paragraph as recommended on their IEPs, the number and percentage of students who as of the end of the reporting period were receiving in part such services, and the number and percentage of students who were awaiting the provision of such services:

(a) Monolingual speech therapy;

(b) Bilingual speech therapy;

(c) Monolingual counseling;

(d) Bilingual counseling;

- (e) Occupational therapy;*
- (f) Physical therapy;*
- (g) Hearing education services;*
- (h) Vision education services;*
- (i) Assistive technology services; and*
- (j) Special transportation services.*

The information required to be reported pursuant to this subdivision shall be submitted and posted no later than September 1, February 1 and June 1 of each year.

§ 5. Section 21-955 of the administrative code of the city of New York, as added by local law 27 for the year 2015, is amended by adding a new subdivision f to read as follows:

f. 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 allows another category to be narrowed to between one and five students, the number shall be replaced with a symbol. A category that contains zero students 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.

§ 6. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to requiring reports on preschool special education and early intervention services, as proposed in introduction number 1406-A for the year 2019, takes effect.

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. 17 of 2020, Council Int. No.900-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.