

ATTACHMENT A

FOOD-ED COALITION
SUGGESTED EDITS TO INT. NO. 1283

By Council Member Treyger (by request of the Manhattan Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to reporting on food and nutrition education in New York city schools

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 21 to read as follows:

CHAPTER 21

REPORTING ON FOOD AND NUTRITION EDUCATION

§ 21-988 Reporting on food and nutrition education. a. Definitions. For the purposes of this chapter, the following terms have the following meanings:

External food and nutrition education program. The term “external food and nutrition education program” means a program that is implemented by an organization other than a school and that provides school-based food and nutrition education to students either at a school or at an offsite location.

External food and nutrition education provider. The term “external food and nutrition education provider” means an organization other than a school, such as a nonprofit, hospital, company, government agency, university or other entity that contracts with the department to provide school-based food and nutrition education to students either at a school or at an offsite location.

Food and nutrition education. The term “food and nutrition education” means instruction, the provision of materials and the facilitation of educational activities that give students the

1 motivation, skills and knowledge to make and advocate for healthy food choices. Food and
2 nutrition education topics and activities include, but are not limited to, growing and harvesting
3 food, cooking, food justice, promoting ecological sustainability, the components of a nutritious
4 diet and related health effects, food system challenges, and the relationship between nutrition,
5 physical activity, and well-being. Food and nutrition education can be taught as stand alone
6 lessons or integrated into other academic subjects.

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7 School. The term “school” means a school of the city school district of the city of New
8 York.

9 b. Annual reporting on food and nutrition education. No later than August 31, 2019 and
10 by August 31 of each calendar year thereafter, the department shall submit to the council, post on
11 the department’s website and publish on the city’s open data portal in a non-proprietary machine-
12 readable format that permits automated processing, an annual report based on data from the
13 preceding school year. The report shall include, but need not be limited to, the following:

14 1. The average frequency and average total minutes per week of food and nutrition
15 education provided to students in each grade level in each school;

16 2. The number of students receiving food and nutrition education in each grade level in
17 each school disaggregated by (i) race and ethnicity; (ii) gender; and (iii) eligibility for free or
18 reduced-price lunch as determined annually by the United States Department of Agriculture
19 pursuant to subparagraphs (A) and (B) of paragraph (1) of subsection (b) of section 1758 of title
20 42 of the United States code;

21 3. The total time, including minutes, spent on food and nutrition education facilitated by
22 department personnel and the total time, including minutes, spent on food and nutrition

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1 education facilitated by an external food and nutrition education provider in each grade level in
2 each school;

3 4. The number of department personnel in each school: (i) who have received training in
4 food and nutrition education, including the number of hours of training and the ~~organizational~~
5 ~~name of the provider of that training; (ii) who hold degrees or professional certificates in food~~
6 ~~and nutrition education.~~

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7 5. For each school contracting with external food and nutrition education providers for
8 the purposes of providing food and nutrition education: (i) the name of the external food and
9 nutrition education provider; (ii) whether the external food and nutrition education provider is a
10 nonprofit, a hospital, a company, a government agency, a university or some other type of entity;
11 (iii) ~~amount of costs, if any, that the school incurs, by contracting with the external food and~~
12 nutrition education provider; (iv) whether the school receives any additional funding to pay for
13 the external food and nutrition education program; and (v) any additional relevant data as
14 determined by the department.

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15 6. The methodology by which the data in paragraphs 1, 2, and 3 of this subdivision is
16 tracked at the school level.

17 c. No information that is otherwise required to be reported pursuant to this section shall
18 be reported in a manner that would violate any applicable provision of federal, state or local law
19 relating to the privacy of student information or that would interfere with law enforcement
20 investigations or otherwise conflict with the interests of law enforcement.

21 § 2. This local law takes effect 90 days after it becomes law, except that the department
22 of education shall take such measures as are necessary for the implementation of this local law,
23 including the promulgation of rules, before such date.

GZ
LS #7222
11/2/18 1:00PM