

STATE OF NEW YORK

4294

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. STIRPE, GUNTHER, HUNTER, HYNDMAN, MAGNARELLI, RIVERA, SIMON, TAYLOR, ZEBROWSKI, SAYEGH, FAHY, REYES, PHEFFER AMATO, D. ROSENTHAL, BRONSON, FRIEND, L. ROSENTHAL, WOERNER, COOK, DICKENS, STECK, WALLACE -- read once and referred to the Committee on Education

AN ACT to amend the education law and the election law, in relation to school session days

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 8 of section 3604 of the education law, as
2 amended by chapter 605 of the laws of 2019, is amended to read as
3 follows:

4 8. No school shall be in session on a Saturday, general election day
5 or a legal holiday, except [~~general election day~~] Washington's birthday
6 and Lincoln's birthday, and except that driver education classes may be
7 conducted on a Saturday. A school district may elect to require staff
8 attendance on a general election day or to schedule a professional
9 development day. A deficiency not exceeding four days during any school
10 year caused by teachers' attendance upon conferences held by superinten-
11 dents of schools of city school districts or other school districts
12 employing superintendents of schools shall be excused by the commission-
13 er, notwithstanding any provision of law, rule or regulation to the
14 contrary, a school district may elect to schedule such conference days
15 in the last two weeks of August, subject to collective bargaining
16 requirements pursuant to article fourteen of the civil service law, and
17 such days shall be counted towards the required one hundred eighty days
18 of session, provided however, that such scheduling shall not alter the
19 obligation of the school district to provide transportation to students
20 in non-public elementary and secondary schools or charter schools. At
21 least two such conference days during such school year shall be dedi-
22 cated to staff attendance upon conferences providing staff development
23 relating to implementation of the new high learning standards and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 assessments, as adopted by the board of regents. Notwithstanding any
2 other provision of law, rule or regulation to the contrary, school
3 districts may elect to use one or more of such allowable conference days
4 in units of not less than one hour each to provide staff development
5 activities relating to implementation of the new high learning standards
6 and assessments. A district making such election may provide such staff
7 development on any day during which sessions are allowed and apply such
8 units to satisfy a deficiency in the length of one or more daily
9 sessions of instruction for pupils as specified in regulations of the
10 commissioner. The commissioner shall assure that such conference days
11 include appropriate school violence prevention and intervention training,
12 and may require that up to one such conference day be dedicated for
13 such purpose.

14 § 2. Subdivision 3 of section 4-104 of the election law, as amended by
15 chapter 694 of the laws of 1989, is amended to read as follows:

16 3. A building exempt from taxation shall be used whenever possible as
17 a polling place if it is situated in the same or a contiguous election
18 district, and may contain as many distinctly separate polling places as
19 public convenience may require. The expense, if any, incidental to its
20 use, shall be paid like the expense of other places of registration and
21 voting. If a board or body empowered to designate polling places chooses
22 a public school building for such purpose, the board or agency which
23 controls such building must make available a room or rooms in such
24 building which are suitable for registration and voting and which are as
25 close as possible to a convenient entrance to such building and must
26 make available any such room or rooms which the board or body designat-
27 ing such building determines are accessible to physically disabled
28 voters as provided in subdivision one-a of this section. Notwithstanding
29 the provisions of any general, special or local law, if a board or body
30 empowered to designate polling places chooses a publicly owned or leased
31 building[~~, other than a public school building,~~] for such purposes the
32 board or body which controls such building must make available a room or
33 rooms in such building which are suitable for registration and voting
34 and which are as close as possible to a convenient entrance to such
35 building, and must make available any such room or rooms which the board
36 or body designating such building determines are accessible to phys-
37 ically disabled voters unless, not later than thirty days after notice
38 of its designation as a polling place, the board or body controlling
39 such building, files a written request for a cancellation of such design-
40 ation with the board or body empowered to designate polling places on
41 such form as shall be provided by the board or body making such design-
42 ation. The board or body empowered to so designate shall, within twenty
43 days after such request is filed, determine whether the use of such
44 building as a polling place would unreasonably interfere with the usual
45 activities conducted in such building and upon such determination, may
46 cancel such designation.

47 § 3. This act shall take effect January 1, 2025.