S T A T E  O F  N E W  Y O R K

27

2011-2012 Regular Sessions

I N  S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to establishing the Asian Lunar New Year school holiday

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 3204-a to read as follows:

S 3204-A. ASIAN LUNAR NEW YEAR SCHOOL HOLIDAY. 1. THE DAY OF THE ASIAN LUNAR CALENDAR DESIGNATED AS THE FIRST DAY OF A NEW YEAR AND COMMONLY KNOWN AS "ASIAN LUNAR NEW YEAR'S DAY" SHALL BE A SCHOOL HOLIDAY FOR ALL PUBLIC SCHOOLS IN A QUALIFIED SCHOOL DISTRICT.

2. A QUALIFIED SCHOOL DISTRICT, FOR PURPOSES OF THIS SECTION, SHALL INCLUDE A CITY SCHOOL DISTRICT OF A CITY HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS AND HAVING AN ASIAN POPULATION EQUAL TO OR GREATER THAN SEVEN AND ONE-HALF PERCENT THEREOF. THE ASIAN POPULATION, FOR PURPOSES OF THIS SECTION, SHALL INCLUDE THOSE PERSONS, ADULTS AND CHILDREN, WHO ARE FULLY OR PARTIALLY OF ASIAN DESCENT AND SHALL INCLUDE ALL THOSE PERSONS AND ETHNIC GROUPS IDENTIFIED AS ASIAN BY THE UNITED STATES CENSUS BUREAU FOR PURPOSES OF THE YEAR TWO THOUSAND FEDERAL DECENNIAL CENSUS.

3. THE SCHOOL AUTHORITIES OF EVERY QUALIFIED SCHOOL DISTRICT ARE HEREBY AUTHORIZED AND DIRECTED TO CAUSE ALL PUBLIC SCHOOLS WITHIN SUCH DISTRICT TO BE CLOSED ON ASIAN LUNAR NEW YEAR DAY.

S 2. Section 3604 of the education law is amended by adding a new subdivision 7-a to read as follows:

7-A. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR PURPOSES OF ANY CALCULATION UNDER SUBDIVISION SEVEN OR EIGHT OF THIS SECTION, THE COMMISSIONER SHALL DISREGARD ANY REDUCTION RESULTING FROM OBSERVANCE OF

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

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THE ASIAN LUNAR NEW YEAR AND, IF NECESSARY, SUCH OBSERVED HOLIDAY SHALL BE CALCULATED AS A SESSION DAY.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that any and all rules and regulations and any other measures necessary to implement any provision of this act on its effective date may be promulgated and taken, respectively, on or before such effective date.