

9565

I N   A S S E M B L Y

May 7, 2014

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Introduced by M. of A. MILLER -- read once and referred to the Committee  
on Education

AN ACT to amend the education law, in relation to establishing the Diwali school holiday

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

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

3     S 3204-A. HINDU FESTIVAL OF LIGHTS SCHOOL HOLIDAY. 1. THE FIFTEENTH  
4     DAY OF THE HINDU LUNISOLAR MONTH OF KARTIK, KNOWN AS LAKSHMI PUJA, SHALL  
5     BE A SCHOOL HOLIDAY FOR ANY OR ALL SCHOOLS IN A QUALIFIED SCHOOL  
6     DISTRICT WHERE THE BOARD OF EDUCATION OR TRUSTEES DETERMINES SUCH  
7     SCHOOLS HAVE A SIGNIFICANT SOUTH-ASIAN POPULATION.

8     2. A QUALIFIED SCHOOL DISTRICT, FOR PURPOSES OF THIS SECTION, SHALL  
9     INCLUDE A CITY SCHOOL DISTRICT OF A CITY HAVING A POPULATION OF ONE  
10    MILLION OR MORE INHABITANTS AND HAVING AN ASIAN POPULATION EQUAL TO OR  
11    GREATER THAN SEVEN AND ONE-HALF PERCENT. THE ASIAN POPULATION, FOR  
12    PURPOSES OF THIS SECTION, SHALL INCLUDE THOSE PERSONS, ADULTS AND CHILDREN,  
13    WHO ARE FULLY OR PARTIALLY OF ASIAN DESCENT AND SHALL INCLUDE ALL  
14    THOSE PERSONS AND ETHNIC GROUPS IDENTIFIED AS ASIAN BY THE UNITED STATES  
15    CENSUS BUREAU IN THE MOST RECENT DECENNIAL UNITED STATES CENSUS. IN THE  
16    EVENT THAT THE STATE OF NEW YORK OR THE UNITED STATES CENSUS BUREAU  
17    COLLECTS POPULATION DATA FOR THE STATE OF NEW YORK WHICH DENOTES THE  
18    NUMBER OF CITIZENS OF ASIAN-INDIAN, BANGLADESHI, AND SRI LANKAN DESCENT,  
19    THEN A QUALIFIED SCHOOL DISTRICT SHALL INCLUDE A CITY SCHOOL DISTRICT OF  
20    A CITY HAVING A POPULATION OF ONE MILLION OR MORE INHABITANTS AND HAVING  
21    A SOUTH ASIAN POPULATION, INCLUDING ASIAN-INDIAN, BANGLADESHI, AND SRI  
22    LANKAN EQUAL TO OR GREATER THAN THREE PERCENT.

23    3. THE SCHOOL AUTHORITIES OF EVERY QUALIFIED SCHOOL DISTRICT ARE HEREBY  
24    AUTHORIZED AND DIRECTED TO CAUSE ALL PUBLIC SCHOOLS WITHIN SUCH  
25    DISTRICT TO BE CLOSED ON LAKSHMI PUJA, DURING THE FESTIVAL OF DIWALI.

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

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

LBD14679-02-4

1 7-C. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR PURPOSES OF ANY  
2 CALCULATION UNDER SUBDIVISION SEVEN OR EIGHT OF THIS SECTION, THE  
3 COMMISSIONER SHALL DISREGARD ANY REDUCTION RESULTING FROM OBSERVANCE OF  
4 LAKSHMI PUJA, DURING THE FESTIVAL OF DIWALI AND, IF NECESSARY, SUCH  
5 OBSERVED HOLIDAY SHALL BE CALCULATED AS A SESSION DAY.

6 S 3. This act shall take effect on the one hundred twentieth day after  
7 it shall have become a law; provided that any and all rules and regu-  
8 lations and any other measures necessary to implement any provision of  
9 this act on its effective date may be promulgated and taken, respective-  
10 ly, on or before such effective date.