

6928

I N S E N A T E

March 7, 2016

Introduced by Sen. AVELLA -- 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 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 CHIL-
13 DREN, 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 HERE-
24 BY 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.

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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.