

# STATE OF NEW YORK

444

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

Introduced by M. of A. STIRPE, MAGNARELLI, BRINDISI, RIVERA, M. G. MILLER, SIMON, LOPEZ, FRIEND, CUSICK, HUNTER, GUNTHER, ABINANTI, HYNDMAN -- Multi-Sponsored by -- M. of A. KEARNS, McDONOUGH, THIELE -- 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:

Section 1. Subdivision 8 of section 3604 of the education law, as amended by chapter 260 of the laws of 2012, is amended to read as follows:

8. No school shall be in session on a Saturday, general election day or a legal holiday, except [~~general election day~~] Washington's birthday and Lincoln's birthday, and except that driver education classes may be conducted on a Saturday. A school district may elect to require staff attendance on a general election day or to schedule a professional development day. A deficiency not exceeding four days during any school year caused by teachers' attendance upon conferences held by superintendents of schools of city school districts or other school districts employing superintendents of schools shall be excused by the commissioner, notwithstanding any provision of law, rule or regulation to the contrary, a school district may elect to schedule such conference days in the last two weeks of August, subject to collective bargaining requirements pursuant to article fourteen of the civil service law, and such days shall be counted towards the required one hundred eighty days of session, provided however, that such scheduling shall not alter the obligation of the school district to provide transportation to students in non-public elementary and secondary schools or charter schools. The commissioner shall excuse a deficiency not exceeding four days during such school year caused by teachers' attendance upon conferences held by such superintendents, provided that at least two such conference days

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

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1 during such school year shall be dedicated to staff attendance upon  
2 conferences providing staff development relating to implementation of  
3 the new high learning standards and assessments, as adopted by the board  
4 of regents. Notwithstanding any other provision of law, rule or regu-  
5 lation to the contrary, school districts may elect to use one or more of  
6 such allowable conference days in units of not less than one hour each  
7 to provide staff development activities relating to implementation of  
8 the new high learning standards and assessments. A district making such  
9 election may provide such staff development during the regularly sched-  
10 uled daily session and apply such units to satisfy a deficiency in the  
11 length of one or more daily sessions of instruction for pupils as speci-  
12 fied in regulations of the commissioner. The commissioner shall assure  
13 that such conference days include appropriate school violence prevention  
14 and intervention training, and may require that up to one such confer-  
15 ence day be dedicated for such purpose.

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

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

49 § 3. This act shall take effect January 1, 2018.