

# STATE OF NEW YORK

7113

2019-2020 Regular Sessions

## IN ASSEMBLY

April 9, 2019

Introduced by M. of A. LIFTON -- (at request of the State Education Department) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to permitting school districts to commence the school year calendar prior to September

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

1 Section 1. Paragraph c of subdivision 1 and subparagraph (i) of para-  
2 graph c of subdivision 2 of section 3205 of the education law, paragraph  
3 c of subdivision 1 as amended by chapter 518 of the laws of 1993 and  
4 subparagraph (i) of paragraph c of subdivision 2 as amended by chapter  
5 277 of the laws of 2017, are amended to read as follows:

6 c. For purposes of this article, a minor who becomes six years of age  
7 on or before the first of December in any school year shall be required  
8 to attend upon full time instruction from the first day that the [~~appro-~~  
9 ~~priate~~] public schools are in session [~~in September of~~] for such school  
10 year, and a minor who becomes six years of age after the first of Decem-  
11 ber in any school year shall be required to attend upon full time  
12 instruction from the first day of session in the following [~~September~~]  
13 school year; and, except as otherwise provided in subdivision three of  
14 this section, shall be required to remain in attendance until the last  
15 day of session in the school year in which the minor becomes sixteen  
16 years of age.

17 (i) Minors whose parents elect not to enroll their children in school  
18 until the following [~~September~~] school year.

19 § 2. Section 3205 of the education law is amended by adding a new  
20 subdivision 4 to read as follows:

21 4. In each school district, a board of education or board of trustees  
22 may, in its discretion, following a public hearing for the purpose of  
23 determining whether a resolution shall be adopted, provide for the  
24 school year calendar to commence prior to September.

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

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1     a. Such public hearing, conducted upon reasonable notice, shall be  
2     held to consider: (i) whether it is feasible for the district to  
3     commence the school year prior to September; (ii) any benefits from  
4     starting the school year prior to September; (iii) any effects on the  
5     local economy, including any effects on the tourism industry; and (iv)  
6     any effect starting the school year prior to September will have on  
7     students' access to summer school programs at the district.

8     b. Within twenty days of the public hearing or at the next regularly  
9     scheduled board meeting following the public hearing, whichever is soon-  
10    er, the board of education or board of trustees shall, by resolution,  
11    determine whether to begin the school year prior to September.

12    § 3. This act shall take effect July 1, 2019.